SD
11
.A1
A42
no.410

United States
Department of
Agriculture

Forest
Service

FS-410

Forest Service History Series

The Wilderness Movement and the National Forests: 1980-1984

United States
Department of
Agriculture

**Forest
Service**

FS-410

Forest Service History Series

The Wilderness Movement and the National Forests: 1980-1984

by
Dennis M. Roth
Chief Historian
Public Affairs Office
USDA, Forest Service
Washington, D.C.

August 1988

The Forest Service's second major inventory of National Forest roadless areas in 1977 and 1978, known as RARE II, was valuable to environmentalists because it gave them a comprehensive list of potential wilderness areas, some of which they previously had not known about. Although at first skeptical about the inventory, the timber industry also came to see some hidden benefits in the study.[1] During the era from 1964 to 1978, when individual wilderness bills were being passed, the gradual accumulation of acreage in the Wilderness System was barely perceptible to many in the Congress and certainly to most of the public. RARE II, however, proposed to decide the fate of 62 million acres of roadless land, or nearly one-third of the entire National Forest System.

The passage of individual wilderness bills and even the controversial statewide Alaska Lands Act, which was covered extensively by the national media, had demonstrated to the timber industry that congressional representatives were often willing to vote for wilderness areas if these areas were not in their own States or districts. Wilderness had enough public support so that representatives could vote for wilderness bills in relative safety, knowing they would receive little criticism as long as the bill did not affect their constituents. In the eyes of the timber industry, wilderness had become a "cheap" environmental vote. It had to be made dearer by spreading the risks to more representatives. This meant promoting the idea of national legislation that would simultaneously decide the fate of all roadless areas in National Forests.

In August 1979 former Congressman Lloyd Meads (D-WA), one of the architects of this strategy, explained its rationale in a speech to members of Western States Legislative Forestry Task Force:

> Now comprehensive legislation ties wilderness in 38 states together so that the guy from North Carolina- . . . who traded his vote on Alaska wilderness is going to have to be voting on wilderness in his own district at the same time he is voting to lock-up forty percent of the forest in Alaska if you put it all in one package, and he is going to think about that, . . .[2]

During the previous 15 years the industry had seen what it considered to be a complete erosion of reasonable standards for wilderness designation. Organizations such as the Oregon Wilderness Coalition were championing the idea that wilderness should not be surrounded by a special aura but should be seen primarily as a way of preventing mismanagement by the Forest Service and the timber industry.[3] Although the Forest Service had recommended that 36 million acres in the RARE II inventory be released from further wilderness consideration, the industry feared that much of this land would eventually end up in the Wilderness System if the wilderness issue continued to be resolved on a piecemeal basis. In early 1981 the Forestry Affairs Industry Newsletter gave its view of the history of the wilderness movement.

> *Since passage of the '64 Act, wilderness criteria have been stretched wide enough to include any cutover, burned over*

plot without a ferris wheel or parking lot. If John Muir could see the land in East Texas recently demanded for wilderness he'd die again . . .

. . . Advocates demand wilderness not for scenic attributes, unique ecological offerings, or other intrinsic merits listed in the '64 Act. They want it simply because it's there. As a corporation won't limit profits thinking its shareholders won't settle for less, so preservation groups don't bridle their ambitions. The limit is what you can get. Preservation has become an end in itself, largely divorced from national needs . . .[4]

By 1979 the timber industry and other commodity interests appeared to be in a good position to push national legislation. The Iranian Revolution and subsequent cutoff of Iranian oil to the United States demonstrated again America's vulnerability to foreign energy suppliers. For the first time, national opinion polls showed that Americans ranked energy above environmental quality in their scale of values.[5] The Carter Administration had created a new cabinet-level department, the Department of Energy, in order to deal with the so-called energy crisis. During the last phase of RARE II, the Department had successfully advocated that less land be recommended for wilderness because wilderness designation would lock up potential oil and gas supplies in the Overthrust Belt of the Rocky Mountains and other areas.[6] Double-digit inflation and the rapid acceleration in the cost of housing prompted the Carter Administration to direct the Forest Service to deviate from its policy of not harvesting more timber annually than could be grown in a year (the sustained-yield even flow policy) so that the cost of building materials could be brought down. Industry could now hope to convince more people that wilderness designation impeded efforts at attaining low-cost housing and energy independence.

Western Democratic politicians, such as Senators Frank Church (D–ID) and Warren Magnuson (D–WA), had been good friends of the wilderness movement. But their association with the Carter Administration's foreign and domestic policies and a renewed western rebelliousness over the way the Federal Government managed public land placed them in political jeopardy. They were no longer in a position to strongly support wilderness preservation.

In 1979 Congressman Tom Foley (D–WA), chairman of the House Agriculture Committee, who was also a western Democrat under strong attack from conservative opponents, introduced a bill that gave Congress time limits in which to designate RARE II wilderness areas. After the expiration of these periods, the lands would be "released" and would revert to management under regular National Forest procedures. In 1980 his bill was altered to allow for the immediate designation of the 12 million acres that the Forest Service had recommended for wilderness. Neither of these bills stated that the Forest Service could never again recommend land for wilderness designation and thus did not threaten environmentalists as much as later bills would but they opposed them because they were afraid that the public and the Congress would assume that the wilderness issue had been totally settled. Perhaps just as importantly, they feared that their grassroots organizations would be destroyed or at least seriously demoralized if RARE II wilderness areas were designated without their participation.[7]

Congressman Foley negotiated with the environmentalists. He agreed not to oppose the Sierra Club's method of "releasing" roadless land. Because of his position as Chairman of the House Agriculture Committee, which could assert jurisdiction over wilderness bills, his agreement on this issue was important to the environmentalists.[8]

In 1979 the State of California, over objections from the national environmental organizations, sued the Federal Government to prevent the development of 48 roadless areas that had been recommended for nonwilderness classification in RARE II. Judge Lawrence Karlton enjoined the development of these lands on grounds that RARE II had not provided site-specific impact data on the 48 areas as was required by the National Environmental Policy Act.

At the same time as Judge Karlton was reaching his decision, Democratic Congressman "Bizz" Johnson from northern California, an ally of the timber industry, and Phil Burton (Democrat) from San Francisco, the environmentalists' most powerful friend in Congress, were sponsoring California wilderness bills. The success of the State of California's lawsuit, however, meant that decisions to develop California roadless land could be legally challenged (as well as land in other States if local environmentalists used the California precedent) unless these decisions were removed from the jurisdiction of the courts. Thus began the search for "sufficiency" language, the objective of which was to insulate wilderness legislation from court challenges. Sufficiency language was soon linked to industry's desire for release language which would fix a time period during which the Forest Service could manage land studied but not designated as wilderness under regular National Forest Procedures. At first the environmental organizations had wanted to avoid any kind of release language and had urged the State of California not to sue because they feared a legislative "backlash" which might result in the Forest Service being forever forbidden to study released land for wilderness designation (permanent release) or forbidden to study it for several decades (long-term release).[9] If the Forest Service could never again study released land, wilderness activists would effectively be prevented from working with National Forest Supervisors.

Congressmen Burton, Johnson, and John Seiberling (D–OH), Chairman of the House Public Lands Subcommittee, attempted to negotiate these issues but quickly decided to convene a larger meeting to see if they could reach a compromise among representatives of industry, environmental groups, and the Forest Service. After two meetings this group agreed on statutory language which would ensure sufficiency (protection against RARE II lawsuits) and which would release land examined but not designated as wilderness for one cycle (10 to 15 years) of the planning process required by the National Forest Management Act of 1976.[10] This was eventually called "soft" release. Congressman Seiberling believed this agreement would be kept by the timber industry because its representative, Dick Barnes, a counsel for an industry association set up to deal with RARE II, had participated in the negotiations. Barnes maintains that he had said he would take this agreement back to the industry for their approval "just as a labor negotiator takes an agreement back to the union membership." At a meeting in July 1980 of the industry's Public Land Withdrawal Committee Barnes told the industry leaders that he had gotten as good a compromise as could have been expected under the circumstances. Neverthe-

less, the Committee disapproved of the agreement because the release period was not long enough. Barnes returned to Washington and attempted to reopen negotiations but was rebuffed.[11] Senator Hayakawa's (R-CA) opposition killed the bill in the Senate, but its release language was added to the Colorado and New Mexico Wilderness Acts, as well as the Alaska Lands Act, all of which passed at the end of 1980. ("Soft" release, "California" release, and "Colorado" release became interchangeable terms.) The fact that no senators or representatives had objected to the "soft" release formula as these bills moved through Congress convinced Congressman Seiberling that the timber industry had accepted it, despite Barnes' attempted re-negotiation.[12]

Whether the industry had agreed to the formula or had only temporarily avoided opposing it while an environmentally oriented administration was in power, they decided they could get a better deal on release after the 1980 election. Andy Wiessner, Seiberling's Counsel on the Public Lands Subcommittee, believes the industry had broken its agreement but concedes it was "their right under our political system to do so." [13]

In February 1981 Senator Hayakawa introduced a bill co-sponsored by Senator James McClure (R-ID), the new Chairman of the Energy Committee and Senator Jesse Helms (R-NC), new Chairman of the Agriculture Committee. According to the *Twin Falls [Idaho] Times News* "a dissident faction within the National Forest Products Association that had not been happy with Foley's or Burton's approaches was able to get its way on release language." [14] Buoyed by the victory of Ronald Reagan, the timber industry decided to push more aggressively for permanent release. From its standpoint, the Hayakawa bill was a great improvement over the 1980 Foley bill since it did not create any wilderness but merely imposed deadlines on Congress after which all Forest Service roadless lands would be forever off limits to wilderness recommendation by the agency. If enacted, some argued it would have amended the 1976 National Forest Management Act, which required the Forest Service to reevaluate its lands every 10 to 15 years for all its multiple uses, including wilderness. During the next 3 years wilderness supporters in Congress, such as Congressman Seiberling, argued against amending the act on grounds that it should not be altered until it had more time to prove its usefulness.[15] The timber industry countered that Congress was always amending laws and that the National Forest Management Act was not special.[16] Of course, Congress would always have the right to create more wilderness, but both the timber industry and environmentalists knew it would be reluctant to do so without some kind of recommendation from the Forest Service. Steve Forrester, a reporter and close follower of the wilderness movement in the Pacific Northwest, described the optimistic mood of the timber industry during the early days of the Reagan administration:

> *If you had asked the timber lobbyists who crowded into the Senate Energy Committee hearing room in February 1981 to make predictions about what legislation would be enacted during the next four years of the Reagan administration, it's a sure bet they would not have predicted enactment of Oregon and Washington state wilderness bills. With Senator James McClure, R-Idaho, running the Energy Committee, Ronald Reagan in the White House and John Crowell at the Forest Service, the timber lobby was in*

heaven and wilderness was the farthest thing from their minds.[17]

The Senate Public Lands Subcommittee of the Energy Committee scheduled its first hearings on the Hayakawa bill during a Senate recess. The environmentalists feared this was the beginning of a legislative "freight train" that would sweep through the Republican Senate and then overcome opposition in the Democratic House, as was happening with the administration's tax and budget bills. Senator Dale Bumpers (D–AR), former chairman of the Public Lands Subcommittee, was out of Washington during the hearings and regretted not having been able to attend. He requested and was granted a new hearing, which Tim Mahoney of the Sierra Club says was the Club's first "foot in the door" in its fight against the Hayakawa bill.[18] At this hearing Rupert Cutler, National Audubon vice president, former Assistant Secretary of Agriculture and "father" of RARE II, predicted that the Hayakawa bill would simply "gum up the legislative machinery" and that RARE II wilderness legislation would be completed by the end of 1984.[19]

The environmentalists worked with Senator Walter Huddleston (D–KY) of the Agriculture Committee who secured an agreement from Senator Helms that there would be adequate notice before the committee held its hearings on the bill.[20] (The Agriculture Committee never held these hearings.) These delaying actions prevented the bill from quickly passing out of committee and going to the Senate floor where the environmentalists feared it had a good chance of being passed.

The environmentalists wanted very much to obtain at least the neutrality of Senator John Melcher of Montana, the only Democrat who was a member of both the Agriculture and Energy Committees. When he was in the House, Melcher had been a leader in drafting the National Forest Management Act. It was hoped his interest in that legislation would prevent him from supporting permanent release. If he were to ally himself with the sponsors of the Hayakawa bill (which he never did), the environmentalists feared his influence in both committees might tip the balance against them. At the same time, the environmentalists were attempting to gather support from several Senators, especially Republicans, so that they could "throw sand in the gears" of the bill. Thus, even if it passed the Senate, enough doubt would have been created about the value of the bill to increase the possibility of its defeat in the House. Four years later a staff member of the Senate Energy Committee revealed to Tim Mahoney that enough questions had been raised at the hearings to doom the chances of the bill getting out of committee. This was not clear to the environmentalists at that time and Mahoney speculates hindsight may have helped the staff member reach this conclusion. In any case, the environmentalists lobbied against the bill as if it posed a serious threat. They were aware that the bill had not been adequately drafted and that it contained many apparent contradictions, but they were reluctant to stress these problems for fear of becoming trapped in an effort to improve its technical coherence. Their goal was to defeat completely the idea of permanent or long-term release and not to make it more compatible with other forestry legislation.[21]

Within a few months of the Senate hearing it became clear that the Hayakawa bill would not bask in the legislative glow of the "Reagan Honeymoon," despite support from the administration, important Sena-

tors, and industry. The Eugene *Register Guard* in the important timber-producing region of western Oregon described the stalemate that existed at the end of 1981. An editorial pointed out a problem supporters of the Hayakawa bill found difficult to overcome—i.e., even if the timber industry had not reneged on the 1980 "soft" release agreements, many people believed it had.

> *The timber industry took a risk earlier this year when it backed out of a compromise made at the end of the 96th Congress and moved to support a new bill sponsored by S.I. Hayakawa, . . .*
>
> *Within one month after Hayakawa's bill was given hearings last April by the Senate Energy Committee, it was clear to most observers that Chairman James McClure, R–Idaho, didn't have the votes to move the legislation.*
>
> *The last seven months have been fraught with rumors that McClure was trying to achieve compromise and consensus to make the bill palatable. But nothing seems to have occurred, and McClure's committee is no closer to resolving the release language issue, hence the wilderness issue . . .*
>
> *Still, there is no evidence that industry is willing to compromise. 'There is no softening in the industry,' says Gene Berghoffen of the National Forest Products Association. 'We are no more willing to compromise now than we were when the bill was introduced.'*
>
> *Industry has acted as though release language were almost a theological question on which there can be no deviance, no compromise. 'It must be obvious to anyone by now that the Hayakawa bill isn't going anywhere,' says an aide to [James] Weaver [Democratic Congressman from Eugene], 'But industry is trapped by its own rhetoric.'* [22]

At the end of 1981 Senators McClure and Melcher proposed a compromise that would have been similar to the second Foley bill of 1980, although with slightly fewer acres to be immediately designated as wilderness. The Sierra Club was encouraged that permanent release had been eliminated from the proposal, but both the Club and The Wilderness Society continued to oppose any kind of national wilderness bill. They also objected to some features of the proposal that they felt would amend the National Forest Management Act and establish unreasonable deadlines on wilderness study areas. A Wilderness Society staff member observed that "McClure and Melcher have tried. They can go back to the timber industry now and say we tried our hardest. Eventually, we hope the whole release idea will just blow away." [23]

The release idea did not blow away, but in the Wyoming bill introduced in early 1982 it mutated into what was a slightly less threatening form for the environmentalists—so-called "time certain release" that would have prevented the Forest Service from recommending any released land for wilderness in a land management plan made before the year 2000. Because most "second-generation" land management plans would be revised in the late 1990's, year 2000 release meant that effectively land would remain released until the first plans of the 21st century were written or sometime between 2010 and 2015. Many environmentalists saw this as tantamount to very long term release.[24]

These facts contained a potential

hazard for the environmentalists. Release was an issue not readily understandable by the general public or even by many wilderness activists. In 1984 Steve Forrester reported with only slight exaggeration that only three people really understood release—Peter Coppelman of The Wilderness Society, Andy Wiessner of Congressman Seiberling's staff, and Bill Brizee of the Department of Agriculture.[25] Many Sierra Club members did not follow the intricacies of the release debate but merely accepted on blind faith what their leadership told them. But this was not true of the Oregon Wilderness Coalition and some other environmentalists, who felt they had little stake in the release problem.

The Coalition was becoming increasingly estranged from the Sierra Club and The Wilderness Society, which placed resolution of the release question ahead of the passage of any single State wilderness bill.[26] Many legislators also did not understand what to the environmentalists were fine points of principle and would have been willing to settle for a compromise somewhere between permanent national release with no wilderness designation and "soft" release in statewide bills. The environmentalists had important legislative allies, who thoroughly understood their position on release. But even this support might have been inadequate in the face of a public becoming impatient over what seemed to be pettifogging differences and the timber industry's argument that the environmentalists' intransigence on release was threatening timber supplies and jobs.

The release question and wilderness might have become boring issues unable to hold public attention if James G. Watt had not become the Secretary of the Interior. Watt did not have any direct responsibility for managing National Forest Wilderness but through his Department's authority to grant leases and patents for mining on all public land he influenced the outcome of the wilderness debate. Because he enjoyed ideological combat and strongly believed in the development of natural resources, he revived the wilderness debate and gave the wilderness organizations issues with which to arouse the public.

The 1964 Wilderness Act contained one provision the environmentalists had accepted only as the last and hardest compromise needed to pass the act—an extension of the public mining laws in wilderness areas until December 31, 1983. But, although mining companies technically had the right to explore and lease minerals in wilderness areas, they had not done so because of strict Forest Service regulations, negative public opinion, and the costs of exploring in remote areas where prospects were unknown. Consequently, for several years the Federal Government had imposed a moratorium on the processing of claims. According to Howard Banta, the Forest Service's chief minerals expert:

> *Industry saw the handwriting on the wall. They were simply not going to be allowed—even though the law permitted it—from the standpoint of public opinion to really explore. And there was very little certainty of being able to develop anything they would find. As a consequence . . . there was very little exploration done in statutory wilderness . . .*[27]

As the mining deadline approached, the mining companies began to realize they would forever be excluded from wilderness areas unless they managed to establish claims before the end of 1983 or got Congress to extend the deadline. Bills to extend the mining deadline for 10 or 20 years were introduced but never stood a good chance of passage.

Thus, the companies had to rely on establishing claims by convincing the Government and the public that they had a legitimate right to enter wilderness areas. They mounted a campaign to get the Federal Government to lift its moratorium.

James Watt, before he became Secretary of the Interior, headed the Mountain States Legal Foundation, which had been patterned after the so-called public interest environmental law firms. Although Mountain States was organized like these other groups, its founder, Joseph Coors, the conservative owner of the Coors Brewery in Golden, CO, had just the opposite purpose in mind. His foundation was set up to combat what he believed to be excessive governmental environmental regulations hampering industrial growth.[28]

In 1980 Mountain States sued the Federal Government on grounds the Forest Service was illegally holding up two mineral leases. The district judge ordered the Secretary of the Interior to report the withdrawal of the lands to Congress within 20 days or cease withholding them and to promulgate rules relating to the bases on which oil and gas applications could be rejected, approved, or suspended. Mountain States saw the decision as a vindication of its position. The environmentalists, however, chose to interpret it only as an order to the Government to decide either for or against the claims.[29] Watt's role in the lawsuit made it almost inevitable that he would become directly involved in the wilderness leasing issue when he became Secretary of the Interior.

The election of Ronald Reagan brought the morale of the Sierra Club's leadership, which had been slipping ever since the energy crisis of 1979, to its lowest ebb. When James Watt was nominated for Secretary of the Interior, the top leadership of the Club was reluctant to oppose him although they suspected he would be their strongest opponent. A small-scale mutiny within the Club's Washington Office resulted in a reversal of the tentative decision to acquiesce and the Club began actively to oppose Watt's nomination. Even though that attempt received little overt political support, it put the Club into a more assertive mood and brought it out of the defeatist mentality produced by the initial conclusion that President Reagan had won decisively and should be allowed to appoint whomever he wanted. A similar fight to block the appointment of John Crowell as Assistant Agriculture Secretary for Natural Resources, overseeing the Forest Service, improved the environmentalists' morale still further. The environmentalists argued that Crowell's former position as chief counsel for Louisiana Pacific, the largest buyer of Federal timber, created a possible conflict of interest.

Crowell, who was from Portland, OR, had the support of his Senator, Republican Mark Hatfield. Crowell assured Congress that he would not have a conflict of interest. Nevertheless, the environmentalists had created enough doubt to convince 25 Senators to vote against his confirmation.[30]

Soon after becoming Secretary of the Interior, Watt began some activist policies, such as leasing oil sites off the California coast, that provoked strong controversy. When the issue of mineral leasing in wilderness came up, however, Watt claimed with some justification that he was merely doing what the law required of him. His environmental opponents, on the other hand, believed that Watt could have followed the example of previous Secretaries and found legal and administrative ways to stop leasing if he had wanted to. The Sierra Club had obtained a high-level Interior Depart-

ment memorandum stating that one of the Department's goals was "to open wilderness areas." This document was given to the press as evidence of Watt's active support for mineral leasing in wilderness. Secretary Watt denied that he had personally directed the Department to open wilderness areas.

The first test for mineral leasing in wilderness came in the Bob Marshall Wilderness in western Montana, located in the geological formation known as the Overthrust Belt, which geologists believed contained substantial supplies of oil and gas. This 1.5-million-acre complex (including two contiguous wildernesses) was named after one of the founders of the modern wilderness movement and was often called the "flagship of the Forest Service wilderness fleet."

A Denver-based energy company had applied for a permit to conduct seismic tests using explosive charges in "the Bob," as it was called for short. Because of its exalted stature, the Bob permit request at once assumed symbolic importance and aroused intense emotion among the many ardent wilderness supporters in western Montana who organized the Bob Marshall Wilderness Alliance to stop "the bombing of the Bob." If a company could get a permit to work in the Bob, one of the most beloved of National Forest wilderness areas, then it could probably get permits in many other areas. The *Missoulian* newspaper in Missoula, MT, portentously editorialized:

> *Many defenders of the Bob all along have suspected that the Denver Firm's controversial proposal is less motivated by a desire to find oil or gas than it is to test whether energy exploration in wilderness will be tolerated. By picking the Bob, they picked the best. If only they can explore there, they can explore everywhere.*[31]

Tom Coston, the Regional Forester in Missoula, denied the permit request because the company had committed a technical error by not applying under the proper mineral leasing laws. The agency's Washington Office directed the Regional Forester to reach a decision based on the appropriate laws. Coston again denied the permit on grounds that seismic testing would disturb delicate grizzly bear habitat and otherwise damage the ecological integrity of the Bob.[32] But these administrative decisions were not enough to protect the area because they were subject to further appeal.

At first, the national wilderness organizations were unsure of how to deal with this situation and reacted passively to the events unfolding in Montana. Congressman Pat Williams (D–MT) took the initiative and began to work with Andy Wiessner of the Public Lands Subcommittee to find some way to withdraw the Bob Marshall Wilderness from the possibility of seismic testing and mineral leasing. They believed they had found at least a stopgap measure in an obscure section of the Federal Land Policy Management Act (FLPMA) of 1976, which was the "organic act" for the Bureau of Land Management in the Department of the Interior. This provision permitted the Interior Committee to withdraw land from commercial activities if a public emergency existed.[33] It had only been used once before to protect the town of Ventura, CA, from the possibility of well contamination from uranium mining on nearby Federal land. As the newspapers later reported, this was certainly a novel interpretation and stretched the concept of the separation of powers to the limit. Republicans on the Interior Committee asserted that

it would be unconstitutional to use it in this case because all of the administrative remedies had not yet been exhausted. Interior Chairman Morris Udall (D–AZ) admitted it was a novel use of FLPMA but charged it was the price Secretary Watt had to pay for his "confrontational administration." Interior Committee lawyers were also dubious about its legality but the Democrats on the Committee, faced with no quick alternative and strong public pressure "to save the Bob" decided to use it anyway.[34] Tim Mahoney has described this first round in the congressional attempt to prevent oil and gas leasing in wilderness.

> *We wanted the Committee to pass a resolution withdrawing the Bob from mineral leasing but not mining because the hard-rock miners are very tough—to try to cut the Mining Congress away, which we did with some success, and just work on the petroleum guys, who, although very rich, had a lot of irons in the fire. We had a real dog-fight in the Interior Committee. It was vicious and long and there was a united Republican opposition to it. We had to work real hard to line up all the Democrats. Udall worked hard to line up some of the softer Democrats [the final vote was 23 to 18]. We got it through and it was immediately challenged in court by Mountain States Legal Foundation, Watt's old outfit . . . We had temporarily saved the 'Bob' but not much else.*[35]

Secretary Watt personally delivered a letter to Chairman Udall stating he would comply with the Committee's resolution to close the Bob Marshall, despite serious misgivings about the constitutionality of the action. Then came charges in the press that Watt had retaliated against Udall by threatening to stop construction of a water project in his district and through the back door had made it known that he would cooperate with Mountain States and Pacific Legal Foundation, which had joined the suit. The Justice Department, which had announced it would not defend the Committee against the suit, released a letter from Pacific Legal Foundation stating that they "were informed that the filing of this lawsuit was received with favor by the involved officials of the executive branch." No evidence was actually produced that showed Watt had conspired with Pacific Legal Foundation but the incident served to heighten the controversy surrounding his administration.[36] The Billings (MT) *Gazette* noted the convoluted turn the case had taken:

> *The court case has become a curiosity. Watt is the defendant, defending an action he opposed. He closed the Bob Marshall on the order of the House Interior Committee after making it clear that he wanted to increase mineral exploration in wilderness areas.*
>
> *Attacking Watt in the suit are the Pacific States Legal Foundation and Watt's old Mountain States Legal Foundation. Both are generally supporters of Watt's policies and consider Watt a champion of their own beliefs.*
>
> *Siding with Watt in the case are his avowed enemies, including the Sierra Club and the Bob Marshall Alliance. They contend Watt was right in closing the wilderness, despite his convictions.*[37]

With the Bob Marshall temporarily protected, the action shifted to New Mexico where, for the first time, local Interior Department officials had actually approved a mineral

lease in the Capitan Wilderness, which had been created by the New Mexico Wilderness Act of 1980.

When this news reached the Sierra Club's Washington Office, the staff members at first were preplexed over how to deal with a threat to a relatively new and obscure wilderness area. But then they discovered they had been handed a potential public relations windfall. The Capitan Wilderness was not just "any wilderness. It was the wilderness where Smokey Bear had been found and Smokey symbolized not just the Forest Service but forests in general." [38]

Manual Lujan (R–NM), the ranking Republican on the Interior Committee, did not have the Capitan Wilderness in his district but did feel a responsibility for all the wildernesses in his State. He, like his fellow Republicans, had voted against the Bob Marshall resolution, but he now was angry that a lease had been granted by local officials without his knowledge. His first reaction was to propose a resolution banning all leasing in wilderness areas. After meeting with Watt, however, he dropped this proposal and settled for an assurance that no leases would be granted by local Interior Department officials and that environmental impact statements would be prepared in all cases. This agreement was totally inadequate, as far as the environmentalists were concerned, and prompted Peter Coppelman of The Wilderness Society to observe that Watt's agreement to follow existing regulations merely meant he had promised to "stop beating his wife." [39]

Chairman Udall would not drop the matter and sponsored a resolution calling on Secretary Watt to refrain from issuing any mineral leases until June 1982 so that Congress would have time to solve the problem. His resolution passed overwhelmingly (41 to 1), whereas a resolution by Phil Burton of California to ban immediately all leasing in his State lost by one vote. (A failure to coordinate closely with Udall was probably the reason Burton's resolution did not pass.) [40] Secretary Watt then promised to delay issuing any leases until the end of the 1982 session of Congress. Watt continued to maintain that his hands were tied and that he would have to issue leases unless Congress passed legislation directing him otherwise. In a memorandum to Doug Scott in the Sierra Club's San Francisco office, Tim Mahoney sounded the optimistic note which was now appearing among the environmentalists.

> *Among the positive benefits of all of this was some of the best pro-wilderness rhetoric ever to be heard in the Interior Committee . . . The level of interest was simply fantastic; the hearing room was jammed with the press and spectators . . . It clearly puts a wet blanket on the idea of extending the 1984 deadline, . . .*
>
> *Although we are clearly disappointed that we did not get the full withdrawal of all areas in the wilderness system, the other side must view all of this as a loss as well. Overall we are far ahead of where we were two weeks ago.*[41]

The leasing battle was also stirring intense interest in Wyoming, Watts' home State, where there were requests to lease in the half-million-acre Washakie Wilderness. Over the years citizens of Wyoming had not shown as much support for wilderness as citizens in the neighboring states of Colorado and Montana. As the most rural of the Western States, Wyoming did not have many prowilderness urbanites but it did have a large percentage of its popu-

lation, mainly ranchers, who derived their livelihoods from the National Forests. This often meant there was considerable resistance to the creation of new wildernesses, which some people feared would threaten existing economic relationships. But the leasing dispute showed that while Wyomingites might be ambivalent about designating more wilderness, they were eager to protect what they already had. To many people in the State, wilderness areas represented islands of stability in the midst of the rapid change being brought about by the development of the State's coal and oil deposits. The Wyoming congressional delegation, realizing the depth of public opinion, came out against leasing. The *Denver Post* noted one of the ironies created by the leasing issue:

> *In the environmental wars between diggers and conservationists, Rep. Richard B. Cheney Jr., R–WY, is usually found on the side of the diggers.*
>
> *He fervently supports oil and coal development in his state. He is an admirer of Interior Secretary James G. Watt's dig-it-up now approach to energy resources. He is the despair of environmentalists, who calculate he voted their way only 12 percent of the time—compared with a House average of 48 percent—during his first term.*
>
> *Yet today Cheney and other conservative Western Republicans are unlikely rebels in the touchiest environmental fight of the year, the clash over mineral leasing in the nation's designated wilderness areas.*[42]

The expression of western public opinion was beginning to influence many legislators. It was becoming clear that it would be politically impossible to allow leasing simply on the grounds that the Wilderness Act did not prohibit it.

Early in the next session of Congress Secretary Watt appeared on the "Meet the Press" television interview show to announce that he had decided to offer a bill that would immediately ban leasing in wilderness unless the President declared the resources were needed for a national emergency. He went on to say that the ban would stay in effect until the year 2000 and then "let's have Congress revisit that issue in the next century." Copies of the bill had not yet been made available and the questioning of Watt did not draw out many details of his proposal. Consequently, there was at first some confusion within the ranks of environmentalists. The Wilderness Society's executive director called it a "turnaround" while the Sierra Club's spokesman had heard Watt use the word "certainty," which they believed was a "code word" for permanent release. They told the press they suspected that Watt's proposal contained a "Trojan horse." [43]

The bill was made public 2 days later. Environmentalists were disconcerted to learn that the bill would reopen wilderness areas to leasing in the year 2000. It was this aspect that the press generally reported on. But the bill also contained all of the provisions of the Hayakawa permanent release bill, as well as a section that would allow the President, without congressional concurrence, to release Bureau of Land Management wilderness study areas if they were not found suitable for wilderness designation. The trade of a temporary leasing ban for permanent release was one the environmentalists and their congressional allies were unwilling to consider. They immediately denounced the bill. Several reporters who felt they had been tricked by Watt's seemingly conciliatory announcement on

"Meet the Press" continued to inform their readers about the story.[44] A Los Angeles Times editorial summed up the feeling of most journalists familiar with the issue.

> *The original law allowed applications for leases for 20 years; no Interior Secretary had ever encouraged leasing in the wilderness. Watt did. So his concern deals with a problem that he created . . .*
>
> *The Interior Department draft bill would set deadlines for Congress to make up its mind on the new [Wilderness] acreage. If Congress missed the deadlines, the land would be up for grabs again.*
>
> *That is a sly motion. Congress is not good at meeting deadlines . . .*
>
> *Watt should acknowledge that he is wrong on the issue, and stop trying to force his way into the wilderness disguised as a friend of nature.*[45]

The public was generally opposed to the bill, which was reflected in the failure of any senator to sponsor it. Although Watt's bill died quickly, it showed that wilderness leasing eventually would be banned. The only question was how. Would it be tied to a national release provision, as the proponents of permanent release desired, or would the two issues be separated, as the environmentalists wanted?

In June 1982 Congressmen Seiberling and Lujan offered a bill that would permanently ban wilderness leasing. The bill passed the House after a section had been rewritten to allow claims to be filed for hard-rock minerals in eastern wilderness areas until the deadline of December 31, 1983. (Eastern public lands had been acquired and had not been part of the public domain; therefore, hard-rock mining in the East came under the mineral leasing acts and not the Mining Law of 1872.)[46]

In the Senate Henry Jackson (D–WA) had become involved with the issue because of requests to lease in the popular Alpine Lakes Wilderness near Seattle. Jackson was an extremely hard worker and a formidable gatherer of support for bills he sponsored. Within days of introducing a bill to immediately ban leasing in all designated wildernesses, he had enlisted 53 co-sponsors, many of whom he had convinced while talking in the Senate locker room.[47]

As fall approached, it was not clear whether Secretary Watt's temporary ban on processing leasing applications would extend through the lameduck session of Congress after the November elections. The Jackson bill was blocked in the Interior Committee by Senator McClure who objected to the protection it gave to wilderness study areas and the absence of a national release provision. Assistant Agriculture Secretary, John Crowell, expressed the administration's support of a leasing ban in exchange for national release.[48]

In order to circumvent the Senate Interior Committee, proponents of the leasing ban decided to attach a rider to the Interior Appropriations bill prohibiting the Department from spending any money to process claims for exploration or leasing. This rider was passed as part of a continuing budget resolution, which lasted through the lameduck session of Congress. In December the same rider was attached to the Interior Appropriations bill for Fiscal Year 1983. Senator McClure tried to add a national sufficiency provision in the Interior Appropriations Subcommittee, which he chaired, but was defeated. The appropriation

ban was good until July 1983, 6 months short of the December deadline. Secretary Watt, however, agreed not to process any leasing claims before the deadline because, according to an anonymous high ranking official; "The American people have reached a social decision about the wilderness [leasing] issue." [49] Thus, the environmentalists finally had succeeded in separating the release and leasing issues. Russ Shay, the Sierra Club's California and Nevada representative, told his chapter's members:

> *I remember back a few years ago when the upcoming 1984 deadline for new mineral leasing or claims in wilderness areas looked to me like a sure legislative armageddon in which the oil and mining companies would overwhelm wilderness supporters. We have turned the tables.*[50]

According to Mark Reimers, the Director of the Forest Service's Legislative Affairs Staff, the agency viewed "release" and leasing as separate issues which did not really affect each other.[51] The national environmental organizations, however, saw both as related battles in their overall wilderness campaign. They felt they had emerged from their wilderness leasing victory more confident of their position on the release question and their ability to influence wilderness legislation. The timber industry, on the other hand, was in a severe economic recession which was hampering its lobbying efforts on release. By late 1982 a large segment of the industry was concerned less with release than with getting "relief" from Federal timber contracts purchased when the cost of stumpage was high. These companies, mostly in the Pacific Northwest, were selling their products at prices that made it uneconomical to harvest the Federal timber previously purchased. The effort to get legislation to escape from these contracts diverted resources away from the release battle. It also made it more difficult to assert that wilderness designation withheld needed timber supplies when many companies were trying to turn back supplies they already had. The industry argued that timber "relief" was a short-term problem caused by cyclical economic conditions whereas wilderness designation affected long-term supplies.[52] But this distinction was not always clear to the public and the environmentalists were able to exploit the industry's difficulties in their media and fundraising campaigns.

Both sides were trying to get a Western-State bill through both Houses of Congress, with the kind of release language they favored. All the groups agreed that the first successful bill (not counting the Colorado and New Mexico bills of 1980) would set a precedent for all subsequent bills because it would be impractical to ask the Forest Service to follow a different procedure in each State. In 1982 the Senate passed a Wyoming bill that had long-term release supported by industry. If the House also were to pass a Wyoming bill, industry hoped a House-Senate conference would result in a compromise containing at least some of the provisions they wanted. Chairman Seiberling, however, had enough political support to keep the bill "bottled up" in his subcommittee.[53]

The environmentalists were concentrating their strategy on the three largest timber-producing States in the West—California, Oregon, and Washington. In August 1981 Tim Mahoney outlined the cautious strategy which the Sierra Club, with some modifications, followed over the next 2½ years.

> *In the past, we have called our approach the 'leapfrog' strategy.*

We moved California first because it could best move in the House and pave the way for Washington on release. Then, as California bogs down in the Senate, we would try to move the Washington bill through both House and Senate. If Washington goes through, the odds on Oregon increase. The success of all three are interrelated, and if any of them fail badly, it hurts the others and our overall strategy.

. . . Passage of the California bill is an excellent start [refers to the 1981 House passage], but we cannot stop there. We face a danger that if any of our state-by-state bills erupts in controversy over on the House side, the timber industry, as well as Senate leaders and even some nervous friends like Representative Foley, will take it as a sign of our weakness and the weakness of our approach.[54]

In 1982, Congress passed wilderness bills for Florida (vetoed by President Reagan), Indiana, and West Virginia, which contained the 1980 Colorado release language. Senator McClure did not oppose these bills because he considered them to be in a different category from the big western bills and because they were handled by the Senate Agriculture Committee. To the environmentalists, however, it was important to "trickle" a few wilderness bills through Congress to show that "the system still worked." [55]

According to Scott Shotwell of the National Forest Products Association, the House Public Lands Subcommittee vote on the West Virginia bill was especially important.[56] Unsure of having enough votes, Seiberling postponed two scheduled markups of the bill. A last-minute amendment allowing the Governor of West Virginia to suspend certain standards from the Clean Air Act enabled the bill narrowly to pass out of the subcommittee.[57] If the bill had failed, it would have given that sign of weakness, which Tim Mahoney had warned about in 1981.

By the fall of 1983 there were indications that the stalemate over release was beginning to break. The previous summer Senator Mark Hatfield had held field hearings on an Oregon wilderness bill after having stayed aloof from the wilderness issue for 3 years. The environmentalists had been counting on Senator Henry Jackson to push through a Washington bill that would break the release deadlock. His death in August 1983 made Hatfield's return to wilderness politics even more significant.

Also that summer the Forest Service testified for the first time on behalf of a bill (Utah) that contained some land not recommended in RARE II.[58] In October Deputy Assistant Agriculture Secretary, Douglas MacCleery, testified that the administration would be willing to accept "permanent or long-term release," a softening of the Department's previous position that only permanent release would do.[59]

Forest Service officials also began to talk to various Senators and Representatives about certain technical deficiencies that the agency had found in the 1980 release language. Of primary importance was the meaning of the word "revision" in the "soft" release formula. If a forest plan were amended, would the released roadless land have to be reconsidered all over again for wilderness designation or could that wait until a whole new plan was written? Senator Jesse Helms asked the Congressional Research Service (CRS) to study the question. Its first report stated that it was quite possible a court could construe an amendment as being a revision re-

quiring reexamination of roadless land. Peter Coppelman, The Wilderness Society's counsel, disputed this conclusion, which he claimed was based on an inadequate reading of the Colorado Act's legislative history. A subsequent CRS study reached the opposite conclusion but some legislators had begun to doubt the adequacy of the "soft" release formula.[60]

Senator John Melcher was one of the first Senators the Forest Service spoke to about these problems. Melcher took a personal interest in the issue and brought it to the attention of Congressman Seiberling, who had been his colleague on the House Interior Committee in the 1970's. Melcher respected Seiberling's ability to draft legislation and was confident that he would quickly grasp the problem and see the need to modify the Colorado language.[61] According to Tom Thompson of the Forest Service's Legislative Affairs Staff, Senator Melcher helped create a climate that led eventually to the compromise over release.[62] (The Wilderness Society later thanked him for keeping the discussion from straying beyond the bounds of the National Forest Management Act into permanent or long-term release.) [63]

The environmentalists, of course, were aware that these discussions were taking place and were afraid that if their congressional allies accepted any of the technical objections, the timber industry and its congressional supporters would have opened the door to other concessions. In a December 1983 letter the Sierra Club and The Wilderness Society expressed their fears to their most strategically placed ally, Congressman Seiberling.

> *While interest groups have a right to be concerned about the future, it is impossible to design any legislation that will cover every hypothetical possibility that might conceivably be encountered for decades. From a strategic standpoint, it is to the timber lobby's advantage to continue to seek new 'clarifications' even as old problems are explained away. If the problems are dismissed, the industry has lost nothing. If they raise new doubts about the old language, the lobby is aided in pushing a renegotiation. The renegotiation would only go in one direction, towards statutory-length forest plans.*
>
> *We much prefer a strategy where the other side has to put specific new language addressing specific problems and we get to pick at their language and its inadequacies rather than guessing in advance what 'clarifications' the Senate might accept . . .*
>
> *The ultimate agenda for the timber interests is to see that wilderness is not reconsidered for a long time . . . They would like the release language to thwart any legal challenge on any grounds to the initial Crowell-plans and more importantly, to ensure that the forest plan has a statutory life so that it cannot be revised by a subsequent Administration . . . We would be giving the timber industry an advance statutory commitment for a plan of Secretary Crowell's choosing—which we have never seen.*[64]

On the same day as this letter was being written, the Oregon Natural Resources Council (previously called the Oregon Wilderness Coalition) had filed a lawsuit asking the court to stop the development of any RARE II lands in Oregon based on Judge Karlton's 1980 California decision. The Council had threatened for 3 years to sue but had been dis-

suaded by the national environmental organizations who feared a legislative backlash that might result in permanent release. The Council had finally lost patience when Senator Hatfield did not introduce a bill in 1983 and decided to go ahead with a suit knowing that the Sierra Club and The Wilderness Society would publicly disavow it.[65] If successful, the lawsuit would have had, at least temporarily, a severe impact on Oregon's timber industry.

According to Tim Imeson, Senator Hatfield's principal assistant on the wilderness issue, the lawsuit did "not alter the Senator's timetable" but it did give him an argument with which to persuade his colleagues that an Oregon bill needed to be passed quickly.[66] If the Council's lawsuit had come 2 years earlier when the timber industry was politically stronger, it may have resulted in stronger efforts to pass permanent release. But in late 1983, with the Hayakawa permanent release bill long dead and Wyoming long-term release moribund, the Council's suit helped nudge Congress towards a release compromise acceptable to the environmentalists.

Senator Hatfield had not met with the Sierra Club for several years but in February 1984 he granted a meeting to Tim Mahoney, Jim Blomquist, the Club's Northwest Representative, and Ron Eber, the Club's volunteer leader in Oregon, to discuss his upcoming bill. At that meeting he promised to support the 1980 language. According to Mahoney:

> *Eber, Blomquist, and I had prepared a long speech to give to Hatfield on how we had appreciated working with him and that release language was very important and how we cared about these several areas. Instead we were ushered into his personal office and there was nobody there, so we sat in the corner of this huge office. We were waiting for ten minutes. He's a master of the psychology of these sorts of things. And then he sort of breezed in and before we could say a word, he said: 'It's California release and I can't tell you everything about the bill but it won't be a million acres, a million acres is too much but it will be a little less than a million acres with room for some negotiations between the time I introduce my own bill and the time we actually mark it up and get it out and have the final bill.' Then we asked him if he had consulted with the House and he said 'not really.' We tried to warn him that he might have trouble with the Senate Energy Committee, that they had never passed a bill with soft release for one planning cycle and he said 'well, they passed my bill in 1979 and they'll pass my bill now. I'll support Senator McClure and Senator Wallop on their bills and they better support mine.'*[67]

By March wilderness bills for New Hampshire, Vermont, Wisconsin, and North Carolina had been prepared and were ready for action by the Senate Agriculture Committee. All contained the 1980 soft release language. The North Carolina bill had been worked out by Congressman Jamie Clarke (D–NC), Forest Supervisor George Olson, the North Carolina Department of Natural Resources, and the local Sierra Club and timber industry. The bill easily passed the House after receiving the support of all of the State's congressmen. Senator Helms, however, had not yet agreed to support it. The other three State bills had the unanimous support of their delegations.[68]

It had been reported that Senators

Helms and Melcher would try to alter these bills so that forest plans would run for a fixed 10- or 15-year period during which roadless land could not be reexamined under any circumstances. The Sierra Club and The Wilderness Society criticized this plan as being too "inflexible," although they knew that it was much closer to the 1980 formula than the Wyoming bill, which would have put off wilderness reconsideration until the second decade of the next century. At the markup session on March 28, Senators Helms and Melcher, as well as Forest Service Chief Max Peterson, said that release was a national issue and that problems in the 1980 formula needed to be corrected. Senator Patrick Leahy (D) of Vermont and Agriculture Subcommittee Chairman Roger Jepsen (R) of Iowa argued that the local delegations should be allowed to have language they had agreed on. Senator Orrin Hatch (R-UT), said he wanted "hard" release for the Utah bill but favored allowing each delegation to have the bill it desired. Close followers of the release question, however, believed it was very unlikely that Congress would pass different release formulas. They suspected that the States rights argument would work only for the first bill to pass Congress.[69]

Leahy prevailed and the bills were passed out of the committee on a 10 to 0 vote after Senator Helms had requested that the North Carolina bill be allowed to accompany the other three. According to Bill Brooks of the Agriculture Committee Staff, Senator Helms did not view this as a serious matter because he put holds on the bills until the Senate Energy Committee had reached an agreement on release.[70] The Sierra Club's Tim Mahoney, however, saw it as an important event and a signal to Senator McClure that he did not have enough support in the Senate to pass long-term release.

> *Nevertheless, the unwillingness of the Agriculture Committee to override the senators from local states was a victory. The unwillingness of Helms and Melcher to put it to a vote was a victory and the unwillingness of Helms to go it alone in North Carolina and possibly lose his bill was victory. He blinked. All in all this was a very good day for all of us.*[71]

At the end of March the Congressional Quarterly reported that Senator McClure had agreed to accept soft release in the Washington bill and that Senator Hatfield was "pushing just as hard for his bill." The Quarterly predicted that the "moment of truth" would come April 4.[72] That moment actually came April 11 in "a dramatic showdown" between Senators Hatfield and Dan Evans (R-WA) and Senator McClure. Senator Hatfield appealed to the principal of senatorial comity and alluded to his powerful position as chairman of the Appropriations Committee.

> *Now, Mr. Chairman, I think unlike any of the other western states at this moment, we are in a very unique situation in Oregon in that we have had suits filed that are now being litigated . . . And considering the basic economics of Oregon is related to the timber industry, we are in a very urgent situation . . .*
>
> *I have a very strong feeling that, in relation to the release language, that we're now playing a game of hostage; that one state that may have a resolution of that problem cannot move because some other state hasn't had a resolution of their problem.*
>
> *Now, as Chairman of the Appropriations Committee, I have*

tried to accommodate the members of the Senate in literally hundreds of amendments, . . . And I have tried to perform that same help and assistance with senators on this committee.

Now, Mr. Chairman, I am a little bit impatient today because I've been ready to move on this bill for quite some time, . . .[73]

Senator Evans expressed his state of extreme readiness by referring to a logjam metaphor used earlier in the colloquy with Senator McClure: "I hope patience is one of my virtues, but I must say that if, in fact, the keg of dynamite is needed, you know, my fuse is lit." [74] Senator McClure told Hatfield and Evans that an agreement with the House seemed near. Hatfield and Evans did not try to force a vote on their bills, but they had made it clear that they would wait only a few weeks more for a resolution. It was being reported that Senator McClure would run for Senate Majority Leader after the November elections, and some observers believed that he could not delay much longer a party colleague as influential as Senator Hatfield.[75]

The final negotiations involved such a profusion of seemingly arcane details that only the most interested professionals had the stamina to follow them. Forest Service Chief Peterson acted as a go-between, shuttling proposals back and forth to the House and Senate principals. Peterson took an optimistic approach, assuring negotiators that they were actually much closer to an agreement than they thought they were. Scott Shotwell of the National Forest Products Association thought that he played an indispensable role by filling a communications vacuum.[76]

The final agreement worked out by Senator McClure and Congressmen Seiberling and Udall was much closer to the 1980 formula than to Wyoming long-term release. It did not establish any fixed time period during which the Forest Service was prohibited from reconsidering roadless land for wilderness designation but only referred to the forest plans, which were expected to last for 10 to 15 years. And during that period it did not categorically prohibit the Forest Service from managing released land so as to preserve its wilderness characteristics. It only said the agency need not do so. These two points had been the ones the environmentalists had fought most doggedly to retain from the 1980 formula. However, the timber industry and Senator McClure could claim that they had won several important concessions. The definition of a revision had been tightened up to exclude explicitly an amendment to a forest plan, thus improving the "certainty" that a forest plan would run its 10- to 15-year course before the wilderness issue had to be raised again. Also, roadless areas of less than 5,000 acres as well as those examined but found wanting for wilderness classification in Forest Service unit plans done before RARE II were also released in the first forest plans. Senator McClure was especially pleased to have won this last point because nearly 4 million acres of land in Idaho had been examined in pre-RARE II unit plans.[77] (As of early 1987, an Idaho wilderness bill had not been passed.)

The fight over release had come to a welcome end for all involved. The path had been cleared to designate 6.6 million acres of National Forest System land as wilderness, the largest designated acreage in a single session of Congress since the Wilderness Act of 1964. On the other

hand, 13.6 million acres were "released" to regular Forest Service Management.

The environmentalists' tenacity and the support they had mobilized during the wilderness leasing debate prevented the enactment of long-term release, which had seemed possible after the 1980 election. In the final stages the Forest Service played a significant role by pointing out "flaws" in the 1980 release formula. Once permanent and long-term release had died, it was helpful to have had a common technical vocabulary which both sides could argue over without excessive ideological rancor.

During the summer of 1984 Congress passed 18 wilderness bills, covering 12 Eastern and 6 Western States. A history of all these bills would tax the reader's patience. In order to minimize redundancy, the author has selected three bills for Western States and three for Eastern States to examine. These six bills were the most controversial of the group. Most of the other bills either did not produce as much controversy or were largely put together behind closed doors. Consequently, they did not yield as much information as the six selected.

Notes

1. Dennis M. Roth, *The Wilderness Movement and the National Forests: 1964–1980* (Washington, DC: U.S. Department of Agriculture, Forest Service; 1984) p. 57.
2. Lloyd Meads, speech before the Western States Legislative Forestry Task Force, 8/1/79, Sierra Club (SC) records, Forest Service History Section (FSHS).
3. Interview with Andy Kerr, Eugene, OR, 3/11/85.
4. "Forestry Industry Affairs Letter," 4/13/81.
5. Interview with Tim Mahoney, Washington, DC, 4/3/85.
6. Roth, *The Wilderness Movement,* p. 58.
7. Mahoney interview.
8. Ibid.; Doug Scott to John McComb, 6/26/80, Records of the Sierra Club.
9. Roth, *The Wilderness Movement,* p. 59.
10. Ibid., p. 66.
11. Dick Barnes, telephone interview, 4/23/85.
12. John Seiberling to Richard L. Barnes, 6/11/81, House Public Lands Subcommittee, FSHS.
13. Interview with Andy Wiessner, Washington, DC, 11/20/84.
14. Twin Falls, ID "Times-News," 4/16/81.
15. Wiessner interview.
16. Interview with Scott Shotwell, Washington, DC, 12/4/84.
17. "Lewiston (Idaho) Morning Tribune," 3/18/84.
18. Mahoney interview.
19. Interview with Rupert Cutler, New York, NY, 7/21/83; "Public Land News," 4/30/81.
20. Mahoney interview.
21. Ibid.
22. "Eugene Register Guard," 11/26/81.
23. "Public Land News," 12/10//81.
24. Statement of Peter D. Coppelman . . . on S. 543 and H.R. 1568, 6/28/83, The Wilderness Society (TWS) records, FSHS.
25. "Steve Forrester's Northwest Letter," 4/30/84.
26. Mahoney interview.

27. Marc Leepson, "Protecting the Wilderness," Editorial Research Reports, vol. 11, no. 6, Aug. 17, 1984, p. 600.

28. Alec Dubro, "Wilderness on Trial," "Outside," Feb./March 1982.

29. Mahoney interview; Casper, WY, "Star-Tribune," 10/10/80.

30. Ibid.

31. "Missoulian," 5/10/81.

32. "Billings Gazette," 4/12/80.

33. Mahoney interview.

34. Ibid.

35. Ibid.

36. "Wall St. Journal," 8/28/81; "Sierra Club National News Report," 8/31/81.

37. "Billings Gazette," 9/10/81.

38. Mahoney interview.

39. "Missoulian," 11/20/81, James Watt to Manuel Lujan, Jr., 11/19/81, SC records, FSHS.

40. Mahoney interview.

41. Tim Mahoney and John McComb to Doug Scott, 11/20/81, SC records, FSHS.

42. Denver Post, 1/30/82.

43. Mahoney interview.

44. Ibid.

45. "Los Angeles Times," 2/24/82.

46. Mahoney interview.

47. Ibid.

48. "Los Angeles Times," 9/24/82.

49. "New York Times," 1/27/83; "Weekly Bulletin," 12/13/82.

50. Russ Shay to members, 8/13/82, SC records, FSHS.

51. Interview with Mark Reimers, Washington, DC, 10/30/85.

52. "East Linn County: A Case Study in the Effects of Wilderness," Oregon Women for Timber, 5/83, SC records, FSHS.

53. Mahoney interview.

54. Tim Mahoney to Joe Fontaine, et. al., 8/18/81, SC records, FSHS.

55. Mahoney interview.

56. Shotwell interview.

57. Mahoney interview.

58. Interview with Tom Thompson, Washington, DC, 12/4/84.

59. Ibid.

60. "Statement of Peter D. Coppelman . . . on H.R. 3960, 1/25/84, TWS records, FSHS; interview with John Melcher, Washington, DC, 4/26/85.

61. Ibid.

62. Thompson interview.

63. Interview with Peter Coppelman, Washington, DC, 1/18/85.

64. Tim Mahoney et. al. to John Seiberling, 12/12/83, SC records, FSHS.

65. Kerr interview.

66. Telephone interview with Tom Imeson, 4/8/85.

67. Mahoney interview.

68. Ibid.; interview with Peter Coppelman, Washington, DC, 9/20/84.

69. Mahoney interview; "Oregonian," 4/2/84.

70. Interview with Bill Brooks, Washington, DC, 12/13/84.

71. Tim Mahoney to field representatives, 3/28/84, SC records, FSHS.

72. "Congressional Quarterly," March 31, 1984, pp. 727–28.

73. U.S. Senate Energy Committee Business Meeting, 4/11/84, Acme Reporting.

74. Ibid.

75. "Congressional Quarterly," March 31, 1984, pp. 727–28.

76. Shotwell interview; interview with Max Peterson, Washington, DC, 9/15/84.

77. Interview with Barbara Wise, Washington, DC, 1/28/85.

Senator Hatfield's role in resolving the release question made the Oregon Wilderness bill one of the most important of those passed in 1984. But beyond its importance as a catalyst, the bill was unique because of the amount of controversy it created—not only between the timber industry and environmentalists, as was to be expected, but among the environmentalists themselves.

For the last 30 years Oregonians have fought over wilderness more passionately than the citizens of any other State. Oregon is the heart of the western timber industry, but since the 1950's it has also been the home of a growing wilderness movement that has opposed the industry's attempts to harvest the remaining pockets of the State's old-growth timber. In 1954 the Sierra Club established its first chapter outside of California in Oregon. In 1960 the Oregon Cascades Conservation Council became the second statewide organization to focus exclusively on wilderness.[1] (The Montana Wilderness Coalition was first.) The movement was unsuccessful in the early years because the thriving and politically powerful timber industry parried several attempts to expand the State's wilderness system.

However, by the early 1970's the situation had begun to change. Oregon had acquired a reputation as a place of the ecologically conscious. Governor Tom McCall bolstered this image by signing the first State law banning disposable cans and by publicly discouraging migration into the State. In 1976 Robert Wazeka of the Sierra Club claimed that Eugene, OR, had become the center of the wilderness movement and was doing for that movement what Paris had done for the literary world in the 1920's, offering a "rich stimulating milieu in which ideas could be planted and could then have sufficient time to grow, ferment and mature." [2]

In the 1930's the Forest Service had placed many of Oregon's high-elevation roadless areas in its primitive area system. Most of these became part of the Wilderness System when the Wilderness Act was passed in 1964. In later years wilderness activitists began to move their attention down the slopes, hoping to protect lower elevation areas with more trees. The timber industry, having exhausted most of its own supply of old-growth timber, was, at the same time, trying to move up the slopes. These opposite motions brought the two groups into conflict on the middle slopes of the National Forests.[3]

Both the Forest Service and Senator Mark Hatfield saw the potential for prolonged conflict over roadless areas. Since 1968, Hatfield had been in the middle of a fight over French Pete, an old-growth valley in the Willamette National Forest. In 1971 he began to explore the idea of a statewide wilderness bill to permanently settle the wilderness issue. At the same time the Forest Service was beginning its first nationwide inventory of roadless areas (RARE I). Hatfield decided to defer his plan until RARE I had been completed.[4]

The final environmental report for RARE I recommended that 262,000 acres of land be studied for possible wilderness designation. All of these acres were contiguous to already

existing wilderness and were thus not "new" proposals.[5] A Sierra Club lawsuit in California resulted in an agreement by the Forest Service to prepare environmental impact statements before developing roadless areas. In Oregon the unit plan impact statements were being completed more quickly than other States because the Forest Service wanted to resolve the roadless issue in its most productive National Forests. The Forest Service's unwillingness to recommend any new wilderness study areas in Oregon and the "fast tracking" of the planning process convinced some Oregon environmentalists that a new strategy was needed if a substantial number of roadless areas were to be protected.[6]

Eastern Oregon had the bulk of the State's roadless areas, but it was a virtual terra incognita for the Sierra Club and The Wilderness Society, which were seen as too radical by conservative Oregonians living east of the Cascades. The Northwest representatives of the Sierra Club and The Wilderness Society, Doug Scott and Joe Walicki, as well as Sierra Club activitist Holly Jones, were strong believers in the value of grassroots organizing but they doubted the ability of the national organizations to make much headway in eastern Oregon. In order to circumvent this image problem, they decided to create a statewide organization that would not carry the Sierra Club stigma—an organization that would be acceptable to eastern Oregonians and would also fight vigorously to protect roadless areas.[7] Tim Mahoney gives another reason why they felt the Oregon Wilderness Coalition was needed.

> *. . . we believed our greatest strength in passing a wilderness bill was to have an individual constituency in every area. And Senator Hatfield was the person who had come to mind while we were working on French Pete and other areas. You would go in with your laundry list of wilderness areas and they would say: 'which of these areas is most important.' What they'd really mean is which of these areas is least important and we didn't want to answer that and we couldn't answer that. To us there is no least important area. And the way you combat that is to have a group for each area, even a small group because that group is not willing to compromise and it creates a tension which prevents somebody from paring down the wilderness list . . . It was designed to be difficult. We wanted it to be difficult to take an area out.*[8]

As a civil engineer, Joe Walicki was the only Wilderness Society field representative hired by Clifton Merritt who did not have a background in natural resource management. But he more than made up for that lack with his ability to motivate people. During 1972 and 1973 he organized several wilderness workshops throughout Oregon. These workshops produced the people and ideas that resulted in the creation of the Oregon Wilderness Coalition (OWC) in February 1974.[9] During the first few years of its existence, the OWC was a true coalition. Its staff traveled throughout Oregon organizing local groups and instructing them in the techniques of wilderness protection and political action. It was a coordinating umbrella for all local groups, including local chapters of the Sierra Club, but it did not set policy. Each local group retained the right to determine how it would protect the areas it had selected. In 1976 OWC was seen as having assumed

> *An active, even aggressive role in certain areas by organizing new groups; putting on statewide conferences and regional*

workshops focusing on techniques of wilderness preservation; monitoring and reviewing EIS's and timber sales, creating ad hoc task forces and coordinating communication, research and educational functions for Oregon wilderness activities. By contrast, its policy role has been passive. The member groups of OWC, which are fully autonomous, make decisions on specific wilderness recommendations and on strategies for implementing them.[10]

The Coalition was supported by the Sierra Club and The Wilderness Society and by contributions from its local members. OWC's first coordinator was Fred Swanson, a Sierra Club activist who taught a wilderness course at the University of Oregon and at the Survival Center in Eugene. He left in the fall of 1974 for Montana and was replaced by Jim Montieth, a soft-spoken man, who had "given up a promising scientific career as a wildlife biologist in order to return to fight for wilderness" at a salary of $100 a month.[11] After accepting the job, Montieth wrote a letter to OWC's Executive Council emphasizing his strong commitment to Oregon wilderness:

In early June 1974, I spent many afternoons with Montana Fred [Swanson], for we had a lot to talk about. After about a week I told Fred I'd be willing to accept—no, rather, that I wanted—the OWC Coordinator's job, if the purpose was to save all the de facto land, and more. He looked me in the eye and agreed.

That is not a commitment I made to you, or even to Fred, so much as it is made myself. This wilderness resource we deal with every day is part of us. No OWC staff person has ever felt that less than 100% of the roadless land base should be retained. Regardless of so-called realities, it is this goal which will enable us to save maximum Wilderness acreage. This goal, by rational perspective, is not unrealistic or unattainable.[12]

Because of his training in wildlife biology, Montieth was instrumental in forming a statewide scientific network in support of wilderness. He was also responsible in large part for moving the debate over Oregon wilderness away from an exclusive emphasis on recreational and aesthetic values. By 1976 Robert Wazeka of the Sierra Club noted that testimony on Oregon wilderness now focused much more strongly on "the need of certain wildlife species for undisturbed habitat; with concern for critical soils; and above all, with an understanding of scientific, historical and ecological values." [13]

Montieth and his staff were all in their early or middle twenties and were fired by the enthusiasms of youth. Montieth reported to his executive council that he was working 80 hours a week and was "worrying himself sick" over the fate of Oregon wilderness. He said of his field representatives Tim Lillebo and Andy Kerr that, in addition to possessing the necessary "analytical prowess," they also felt the wilderness issue "in their guts." [14] It took this kind of commitment to go into the often hostile environment of the small mill towns of southern and eastern Oregon to organize for wilderness protection.

For several years after RARE I OWC claimed it had stalled the development of roadless areas but members felt their delaying tactics eventually would fail unless more drastic action were taken. By 1977 Jim Montieth began to believe that only a national wilderness lawsuit could save Oregon roadless areas.

We believe that the only way we can insure that the majority of de facto wilderness will have even a remote chance of remaining wild is to meet the problem nationally (or at least regionally) in the courts. To date, land use plans, especially the treatment of undeveloped areas, have been totally inadequate. We feel that our legal case against land use planning will never be stronger . . .

Without a nationwide suit which legally challenges the process being used to destroy wilderness, conservationists stand to lose most roadless areas to development. Given our limited resources, if bad decisions are not challenged in the courts regionally or nationally, we have no method to stop the destruction of perhaps 90% of the wild lands. National court action, like the 1972 suits, will give us the de facto wilderness to work with in five years. Where would we be now if the '72 suit hadn't been filed?

The tragedy of the situation is that if we could hang onto the undeveloped areas for ten years, they would be ours. Even the timber industry admits that time is on the side of wilderness preservation.[15]

After its 1972 lawsuit the Sierra Club had become increasingly wary of another national lawsuit because of fears it would provoke a timber industry and congressional backlash. Montieth's advocacy of a lawsuit began to open a rift between the Sierra Club and the OWC staff. OWC's confrontational approach and sometimes abrasive lobbying tactics had made Montieth a controversial figure in Oregon. The OWC's Executive Council, made up primarily of Sierra Club members, was becoming disturbed over the direction in which the staff seemed to be taking the Coalition. There were allegations that the office was not running smoothly and that the staff were overstepping the bounds of their authority by attempting to set policy. The staff members, on the other hand, often chafed at their inability to make policy because they often saw problems coming before they were evident to the local group. They also believed the Executive Council was too conservative and too willing to compromise. Montieth later said that the "problems which developed in the 1980's stemmed from the period 1976 to 1978. It was a shock to them there was so much wild land out there." [16]

In 1978, in midst of RARE II, the Executive Council attempted to oust Montieth but was unable to persuade a majority on the Governing Council. Montieth prevailed in a 2 to 1 vote. The animosity created by this split, which was essentially one between the Sierra Club and the OWC staff, persisted and colored the future relations between these two organizations. The Sierra Club leadership in Oregon thought that OWC was politically naive, while OWC prided itself on its Indian and sportsmen constituency and felt that the Sierra Club was an "elitist western Oregon recreation group" populated by the "wine and brie set."[17]

OWC was convinced they were charting a new course for Oregon wilderness, one that avoided "left-wing urban anti-hunting groups" and sought out new constituencies to bring the wilderness movement more in line with basic western lifestyles. They also believed they had a mission to desanctify the wilderness idea. Wilderness to them had become a more commonplace category, one that was to be used to prevent mismanagement by the Forest Service, which they believed could not be trusted to manage land

sensitively under its own authority.[18] In the 1960's and early 1970's the Sierra Club and The Wilderness Society had attacked the Forest Service for adhering to what they considered to be an overly "pure" definition of suitable wilderness land. In Oregon the Sierra Club now found itself on the receiving end of this criticism when OWC alleged that the Club was interested primarily in scenic recreation areas with alpine vistas.[19] As the Sierra Club saw itself cast more and more into the role of scapegoat and even villain, some of its leaders naturally began to believe they had created a Frankenstein monster when they formed OWC in 1974.

Of the 3.4 million acres of land studied in Oregon during RARE II, the Forest Service recommended that 370,000 acres be considered for wilderness designation. The Sierra Club and OWC were deeply disappointed over this figure. OWC also charged that the agency had failed to study another million acres of land that should have been part of RARE II.[20] The environmentalists blamed these results on the agency's alleged timber bias and on the personal actions of Regional Forester Richard Worthington. When he retired in 1982, Worthington expressed his strong disapproval of the tactics of the wilderness movement. Implicit in this farewell statement was a rebuttal of OWC's argument that the only alternative to wilderness was Forest Service mismanagement:

> *Many wilderness demands are entirely unethical. They conflict with any sound, esthetic or biological value; yet they are trumpeted as being in the public interest. In reality classification of land as wilderness means locking up large acreages for the use of very few people. It is entirely contrary to basic good government when carried beyond minor amounts. The issue is not really yes or no, but how much Most folks really don't want areas classified as wilderness. They just think they do. What they don't want is for public lands to be mistreated—they don't want poor land husbandry. The wilderness extremists have sold the public a bill of goods that the only alternative to unethical land use practices is wilderness. The cultists who advocate locking up now or lose forever are using unethical tactics to prevent unethical practices.*[21]

In 1979 Senator Hatfield introduced a 600,000-acre wilderness bill that quickly passed the Senate but stalled in the House because powerful Congressman Al Ullman (D–OR), Chairman of the House Ways and Means Committee, wanted less wilderness than Hatfield proposed while Jim Weaver wanted more. That deadlock alone would have been sufficient to block the bill but in addition the Sierra Club and The Wilderness Society opposed its permanent release provision. Angered over the failure of his bill, which he thought was a generous improvement over the RARE II recommendations, Hatfield "remained inaccessible to Sierra Club lobbyists" for the next several years. In 1981 he was reported to have said that "Mr. Weaver and company . . . are not going to have an Oregon wilderness bill in this Congress."[22] This was an indication that he would no longer take the lead in formulating a statewide bill but would wait for the House to settle its differences before returning to the issue. Despite Hatfield's seeming passivity, all the principals in the struggle over Oregon wilderness knew that in the final analysis he would be the arbiter of the Oregon wilderness bill.

Over the years Senator Hatfield had shown an independent attitude to-

wards wilderness, which was not surprising considering the economic importance of the Oregon timber industry. He had been elected to the Senate in 1966 and thus had been involved in the creation of every Oregon wilderness since the passage of the Wilderness Act. But he had not always felt comfortable with wilderness classification, proposing instead on several occasions the creation of an intermediate "backcountry" designation that would allow more management flexibility than the wilderness designation. He also leaned more towards what the environmentalists called an "anthropocentric" view of wilderness—emphasizing scenery and recreational use over biological and ecological values.[23] OWC saw that one of its principal tasks was to convince Hatfield of the necessity of wilderness classification for the protection of fisheries, watersheds, and wildlife, especially in eastern Oregon where recreational demands were not as great as in the western part of the State. They "respected and even feared" Hatfield's staff assistant Tom Imeson "because of his competence" but they knew he would give them a fair hearing.[24] The timber industry's position was that no more or perhaps very little new wilderness should be created. Governor Vic Atiyeh's proposal of 60,000 acres was as far as the industry as a whole would go.[25] That hard-line stance made it difficult to negotiate with the industry. According to Imeson:

> *The timber industry still put up a lot of resistance to a wilderness bill. For them the common denominator was that there should be very little new wilderness. Therefore, it was hard for them to get together on a bill. They could never get a unified position near 600,000 acres, although I told them that the '79 bill was 600,000 acres and the House bill [of 1983] was 1.2 million acres and that the final bill would be somewhere in between.*[26]

After the failure of Hatfield's 1979 bill, OWC was anxious to see a new bill introduced. But here it ran into a disagreement with the Washington, DC, offices of the Sierra Club and The Wilderness Society, which, for strategic reasons dealing with the release question, thought it was more important to promote a Washington or a California bill. OWC reluctantly decided to accede to the national organizations' wishes but began to become concerned that Oregon might somehow be sacrificed in the national battle over release. Tim Mahoney's statement to Andy Kerr that an Oregon bill would be "tough" reinforced that fear.[27] Throughout the debate over release, OWC maintained that it was an arcane issue that had little relevance for Oregon because the Forest Service and timber industry would quickly develop all the released roadless areas no matter what kind of statutory language was adopted.[28]

The Sierra Club had four main reasons for delaying the introduction of an Oregon bill: (1) Hatfield's position on release was unknown after his statement following the 1980 election that the issue might be reexamined; (2) the Club did not know where Democratic Congressman Les AuCoin stood on release. As a member of the House Appropriations Committee, he was powerful and had a reputation as a good coalition-builder but he had cosponsored the 1979 national wilderness bill and had not yet endorsed the Colorado release language; (3) Congressmen AuCoin and Weaver "did not work real well together"; and finally (4) most of the proposed wilderness areas were in the district of the new Republican Congressman

Denny Smith, who strenuously opposed them.[29] According to Tim Mahoney:

> *We were cautious about pushing an Oregon bill because we were not sure where AuCoin and Hatfield stood on release. We only wanted to work on an Oregon bill when we got a signal from Hatfield or when AuCoin indicated he understood release and would work with Weaver- . . . The eleventh commandment of the wilderness movement is that you don't speak ill of someone else's wilderness or get in the way of their efforts to protect it. For instance, you don't make a deal for Oregon that hurts Montana.*[30]

Congressman Weaver was OWC's strongest supporter in the Oregon delegation. According to his former staff assistant, Greg Skillman, he had an "almost metaphysical" belief in the value of wilderness as a genetic preserve.[31] He had opposed Senator Hatfield over the French Pete area after his election to Congress in 1974 and in 1978 had engaged in long and difficult negotiations with the Senator over the Kalmiopsis area in the conference committee for the Endangered American Wilderness bill. They saw the wilderness issue differently and did not have a close working relationship. Congressman Seiberling respected Weaver for his strong advocacy of wilderness because he represented a district where timber industry was very strong.[32] Until the 1982 election, Weaver had been opposed in the campaigns by lumbermen from the southern part of his district and in 1978 had been targeted by the Republican National Committee as the third most important Democratic congressman to defeat. According to Skillman, his boss "had stretched his district to the limit" on the wilderness issue.[33] OWC considered Weaver to be their standard bearer but even that relationship was occasionally strained when Weaver did not act as OWC thought he should. In late 1980 Weaver spoke at a political fundraiser attended by OWC and Sierra Club members. A Sierra Club member reported on the meeting and its possible consequences.

> *Unfortunately, Jim got carried away with the euphoria and gave wilderness a 'blank check' for the next session. It did not pass unnoticed, as several people have commented about it. . .*
>
> *Though I doubt if we will feel repurcussions too soon, it is something that we should be aware of. Since when we do reopen negotiations with OWC, we're bound to have Jim quoted back to us. I talked to Greg [Skillman] about it this evening, . . . he sees ways around it, i.e. Jim meant 'legitimate' wilderness proposals, and that 'we always have to deal with Mark Hatfield.' However, I can also possibly see the SC [Sierra Club] being used as a scapegoat, if we continue to clash with OWC over the viability of some of their proposals.*[34]

In 1981 Weaver on his own initiative introduced a bill capping the total amount of new Oregon wilderness at a figure that would not have subtracted more than 3 percent from the National Forests' total allowable cut. One of the purposes of this bill was supposedly to show the relatively small impact that wilderness withdrawals actually would have on the Oregon economy. Weaver did not want to pass the bill but intended to use it as a vehicle to introduce a bill based on the results of these hearings. The Sierra Club and OWC drew up a list of wilderness areas containing 1.9 million acres that fell within the limit.[35] OWC had raised its hopes in 1981.

The bill is ready to move for several reasons . . . First, hesitation about its introduction has essentially evaporated. Key players in Congress, such as Representative John Seiberling and Senator Mark Hatfield, are flashing signals that now is the time. The Oregon bill is now a priority for national conservation organizations, who previously had felt that a Washington State bill (or others) should be moved first. The pending death of the timber industry's national release bill has contributed to the 'green light.' And current efforts to write 'bail-out' legislation for segments of the timber industry because of poor market conditions have produced a political situation which will allow (even require) an Oregon Wilderness bill to begin its journey through House of Representatives.[36]

The failure of this optimistic forecast to come to pass in the regular 1982 session of Congress made OWC impatient and fearful that more delays would result in the loss of many roadless areas.

The delays were also causing problems for the Forest Service, whose allowable timber cut was based on all the lands not recommended for wilderness in RARE II. The Forest Service had delayed cutting in controversial areas, but this restriction posed the danger of overcutting on other parts of the National Forests. The agency very much wanted to have a bill to rescue it from this dilemma and to curtail the many appeals, which were hampering its activities.[37]

For the first time since his election to Congress in 1974, Weaver was opposed by a moderate Republican from Eugene, and OWC briefly considered the idea of supporting the Republican candidate out of frustration at not getting a wilderness bill from Weaver.[38] This frustration worked both ways, according to Greg Skillman: "Weaver saw himself as taking all the risks. He could never get OWC to level on numbers. The Sierra Club was more willing to compromise and prioritize." [39] OWC eventually supported Weaver in his successful re-election campaign.

On October 22 the District Court sustained Judge Karlton's 1979 decision that RARE II was inadequate, which increased the likelihood that many timber sales on Oregon's National Forests would be blocked. By this time, Congressman AuCoin, mindful of the potential danger to Oregon's economy, had promised he would support Colorado release. After the election he and Weaver introduced a million-acre bill in the lameduck session. AuCoin had devised the idea of linking the wilderness bill with a contract relief section for some purchasers of Federal timber who were losing money because the timber they had purchased a few years previously was too expensive to harvest.[40] Hatfield had agreed to support the bill if AuCoin could get it through the House. Hatfield planned to add contract relief in the Senate. At the last minute the National Forest Products Association decided to support the bill because of the agreement on contract relief. Congressman Denny Smith felt undercut by this decision but was still able to arouse enough opposition to prevent the bill from gathering the two-thirds majority needed under the suspension of rules procedures that had been chosen to expedite passage of the bill in the restricted time period of the lameduck session.[41] The Sierra Club had been rather pessimistic about the bill's chances, believing that AuCoin was not aware of all the obstacles in the way of passing any wilderness bill with Colorado release and burdened by the controversial

contract relief provision. But its lobbyists had worked for it and were bitterly disappointed when it narrowly failed to pass. According to Andy Kerr, this defeat further widened the breach between OWC and the Sierra Club because "Doug Scott likes to be with a big winner" and feared bad consequences would follow from the bill's defeat.[42]

Having already absorbed their share of criticism for having introduced an Oregon wilderness bill, Oregon's Democratic congressmen, AuCoin, Weaver, and Ron Wyden, wanted to pass a new bill as soon as possible in the 1983 session. Oregon had been redistricted and had gained a new Republican Congressman, Bob Smith, who represented much of the area originally held by Denny Smith whose district had been moved westward. Bob Smith was an experienced state politician but during his campaign he had run on a platform of no more wilderness, which meant that he too "was cut out of the process." [43] In April the House passed a 1.2-million-acre bill, 200,000 more acres having been added when the bill was in the House Public Lands Subcommittee. At first Senator Hatfield wanted to proceed with a Senate bill but then decided Oregonians deserved "another shot" at public hearings because the issue was so controversial. During the summer of 1983 Hatfield and his staff, especially Tom Imeson, held hearings and talked with all the major interests involved. He worked closely with local Forest Service personnel who responded to his many "what if" questions about boundaries and resource values.[44] Imeson visited virtually all of the proposed wilderness areas.[45] Areas arousing concern and controversy included the North Fork John Day in eastern Oregon, Drift Creek on the Oregon Coast, Hardesty Mountain 25 miles southwest of Eugene, Middle Santiam in the Central Cascades, Waldo Lake about 60 miles east of Eugene, and Boulder Creek in southern Oregon.

OWC, which recently had renamed itself the Oregon Natural Resource Council (ONRC), had originally wanted 400,000 acres of wilderness in the North Fork John Day. This was an important fisheries area in eastern Oregon and was strongly supported by Indian tribes. The House bill had halved their proposal.

The John Day was believed to contain important mineral deposits and in the years since 1979 several large politically sophisticated companies had become interested in its potential. Eastern Oregon was economically depressed, and Hatfield wanted to protect the region's economic future.[46] Fisheries were also important to the region. At first Hatfield and his staff proposed to designate as wilderness a relatively small core area of 40,000 acres adjacent to the John Day River and place another 95,000 acres in a special fisheries management zone. In November 1983 Jean Durning, The Wilderness Society's new Northwest representative, reported on a meeting she had with Tom Imeson concerning the area:

> *Tom is convinced of the necessity to save its wild fish runs. But he believes that these can be saved even if occasionally selective timber harvest is allowed, perhaps with no roads. The amount of timber available probably is less important than the perception of northeast Oregonians that nobody listens to them and that a massive amount of their land is being locked away from them. . . The conflict on the North Fork John Day is not a recreation conflict. It is timber (or perception) versus fish.*[47]

That compromise pleased neither the environmentalists nor the timber

industry. Eventually 120,000 acres were put into wilderness. (Imeson credits ONRC and The Wilderness Society as the groups primarily responsible for the creation of this important wilderness area.) The Elkhorn Mountains, part of ONRC's original John Day proposal, were dropped because, according to Tom Imeson, they were not essential for the protection of fish.[48] Their loss distressed ONRC.

The Middle Santiam is a 30,000-acre valley of low-elevation, old-growth timber on the Willamette National Forest—one of a handful still remaining in Oregon. It was heavily roaded on its periphery and had some clearcut patches inside it.[49] Its location, in traditionally Democratic Linn County, part of Weaver's district, made its fate a sensitive issue for him.[50] The House bill had put 25,000 acres into wilderness. Congressman Weaver maintained that wilderness designation for the Middle Santiam would not harm the county's economy because its mills had enough supply to last for several years and could eventually expand their radius of operations when that supply ran out. Women for Timber and other local organizations hotly disputed that contention, claiming that at least one big mill would close if the Middle Santiam were "locked up." They pointed to gravel roads and a few clearcuts within the area as evidence that it did not qualify for wilderness designation.

> *The area is not typical of what the majority of wilderness users want. Brush under the second growth trees and rotting logs under the old growth make the area virtually impossible except by established trail. This is not a high alpine fir type that wilderness users seek, but instead good, productive Forest.*
>
> *. . . Most disturbing to people of these communities is that their own representative in Congress has stated there will be no job loss. In the late 1970's, concern about the amount of available timber supply caused companies in the area to bid prices for Forest Service timber sales to unprecedented levels. Only the economic recession has given a brief respite to the competition for this timber. If the Oregon Wilderness Bill is enacted as proposed, it's only a matter of time that competition for available timber forces one large mill or two smaller ones out of business.*[51]

The area also became a sore point between the Sierra Club and ONRC and illustrated their contrasting political styles. The Sierra Club's volunteer Oregon chairman, Ron Eber, felt that Hatfield was serious about his opposition to Middle Santiam and would stiffen his resistance if confronted with pressure tactics. Tom Imeson asked the Forest Service for high, middle, and low wilderness options.[52] When Imeson told Eber that Hatfield might be willing to talk about the area, Eber believed he had been offered perhaps the only opportunity he would get to include at least some of the Middle Santiam. He returned to Oregon and relayed this message to the group lobbying for the area.[53] Its leader indicated his group was flexible on boundaries. When ONRC heard about these discussions they charged that Eber had unnecessarily compromised the Middle Santiam and that no deal should have been made before the House members had negotiated with Hatfield.[54]

Several years earlier, Jim Montieth had been deeply impressed by a brief meeting with Congressman Al Ullman over a land-use issue in eastern Oregon. Ullman had told him on that occasion: "Don't you know the rules of the game? I have

to move your line." Montieth drew from that encounter the lesson not to compromise until absolutely necessary, which was usually at the end of the negotiating process.[55]

Jean Durning was also deeply involved in negotiations over the Oregon bill, but she sometimes felt that she was forced to spend more time mediating between ONRC and the Sierra Club than she did working with the congressional delegation.[56]

Tom Imeson felt it had been possible to reach a compromise on Middle Santiam (eventually 7,500 acres were included) because it was a "symbolic issue"; only Weaver among the delegation members felt deeply about it. Imeson contends it was only the Sierra Club's prodding and willingness to compromise that resulted in the inclusion of some of the area.[57] Of course, it had been more than a symbolic issue to ONRC, which for years had been talking about the need to protect as much old growth as possible, and they deeply regretted the loss of most of the Middle Santiam.

Hardesty Mountain is a popular recreation area within a 45-minute drive of Eugene. It is in the midst of a heavily developed region, most of the surrounding tracts of land having been logged and roaded. To several Sierra Club members, such as Holly Jones, Hardesty was not of wilderness quality and was seen as more of a "bargaining chip" than a legitimate proposal.[58] Greg Skillman of Weaver's staff once told some ONRC representatives that if they wanted Hardesty, they should also on the same grounds ask for Spencer's Butte, a hill in the middle of the city of Eugene. The ONRC members did not appreciate his sarcasm and from then on "they didn't like me so much." [59] Hardesty did, however, have many supporters. In the final negotiations over the bill, Hatfield offered Weaver a choice of either Hardesty or Waldo Lake and Weaver picked the larger and higher quality Waldo Lake. After the passage of the bill, Hardesty was on local front pages after an anonymous group calling itself the "Hardesty Avengers" drove spikes into trees in an attempt to prevent logging.

Drift Creek was another low-elevation old-growth area that at one time divided ONRC and the Sierra Club. It was the only potential wilderness area located in AuCoin's district. He opposed its inclusion, which made him vulnerable to charges from Bob and Denny Smith that he was willing to create wildernesses everywhere but in his own district. In 1980 the Sierra Club asked one of its members to evaluate Drift Creek's wilderness potential. While driving to the area, he looked on a map and discovered he was already in it. Shocked by this discovery, he concluded that Drift Creek did not have a core large enough to qualify it for wilderness designation.[60] But like Hardesty Mountain, it had a large number of supporters, eventually including the Sierra Club, and was backed by the Portland newspapers. Drift Creek had not been in the House bill. Hatfield wanted his proposal to be unique in some way. Hatfield felt Drift Creek had enough support to overcome AuCoin's objections and thus it became the only area in the Oregon Wilderness Act that had not been in the 1983 House bill.[61]

Until the Oregon Wilderness Act was passed, the Umpqua National Forest in southern Oregon did not have any wilderness areas. It then got three, including Boulder Creek, which had generated 22,000 responses during RARE II, the most of any area in the country. Most of these responses favored nonwilderness and thus the Forest Service had not recommended it.[62] For several years a small group of

environmentalists associated with ONRC, known as the Umpqua Wilderness Defenders, had fought for wilderness in an area heavily dependent on the timber industry. At least one of the leaders of the group had to drop out when confronted with the threat of an informal economic boycott of the family business.[63] Boulder Creek was also coveted by the timber industry and was one of the few areas that Arnold Ewing, executive vice president of the Northwest Timber Association and a wilderness recreationist, regretted was in the final bill, believing it was much more suited to be a "working forest." [64]

Boulder Creek, Drift Creek, and North Fork John Day were three of the most notable successes for ONRC's brand of wilderness politics, areas without great scenic attributes but valuable for their ecological and wildlife attributes.

In early 1983 ONRC's Council of Governors had directed Jim Montieth to prepare a statewide lawsuit based on the 1980 California decision in order to stop all development in Oregon RARE II roadless areas. When the House bill passed in April, its 1.2 million acres were temporarily protected by an agreement worked out by Senator Dale Bumpers and the Department of Agriculture that delayed development activities in areas undergoing wilderness consideration by Congress. Montieth convinced his board that suing while this agreement was in effect could be misinterpreted by the public. He undoubtedly was also thinking of the national organizations' strong opposition to statewide lawsuits when he wrote to his board that:

> *In order to actually file the legal complaint, we must have an obvious and blatant threat to the three million acres of roadless lands in the RARE II inventory so that we demonstrate to the public, the press and politicians an act of self-defense. We need to provide compelling evidence that our action was taken because our backs were against the wall, that we were being irreparably and irreversibly harmed on a grand scale. With the Bumpers agreement in place, none of the most popular Wilderness proposals (1.2 million acres, the ones currently in HR 1149) are threatened. If we filed now, it is possible the public would misread our action. It is even possible, although unlikely, that a judge might dismiss our complaint as ungrounded.*[65]

When Hatfield did not introduce his bill in the fall and time ran out in the 1983 session, Montieth could no longer use the now-expired Bumpers Agreement to dissuade his board. The House bill was dead until the next session. Consequently, the Bumpers Agreement was no longer in effect. With the Sierra Club's financial backing, Oregon environmentalists had filed two site-specific lawsuits. They had lost in the case of the Bald Mountain Road on the Kalmiopsis, which had not been covered by the Bumpers Agreement because it was not in the House bill in deference to Senator Hatfield, who had opposed its inclusion in the 1978 Endangered American Wilderness Act.

The direct-action environmental group known as Earth First was conducting a delaying-action blockade of the road, which was generating publicity and some money but was not stopping the development feared by ONRC. In the past ONRC had used the threat of a suit to get action from politicians and the national conservation organizations but now some were claiming that ONRC was bluffing. Andy Kerr and

other ONRC staffers felt they had no alternative but to file a suit.[66]

Mike Anderson of the Umpqua Wilderness Defenders told Jim Montieth he knew of an attorney, Neil Kagan, in Roseburg who would take on the case. On December 2 ONRC decided to sue.[67] The national conservation organizations and members of the Oregon delegation were informed a day or two before the filing.

The lack of much notice angered some, especially Congressman AuCoin, who was in a close reelection fight with a timber company executive. Greg Skillman believed that "the idea of a lawsuit was a trump card. If you play it, it's over . . . We had a day warning about it. That was the last straw in a deteriorating relationship." [68] The Sierra Club and The Wilderness Society attempted to dissociate themselves completely from ONRC's suit. The National Audubon Society, whose local chapters in Oregon had been working closely with ONRC, joined in the suit. (Brock Evans in the Society's Washington Office was the only top official with a long background in national wilderness politics and at the time of the lawsuit he was preparing to launch a congressional campaign in Washington State.) [69] According to Andy Kerr, the Sierra Club and The Wilderness Society did a "tremendous job of damage control" by effectively distancing themselves from ONRC's actions and by convincing political leaders they were not part of a plot to undermine ongoing political negotiations.[70]

Montieth explained to his members that one of the reasons ONRC had decided to sue was because other groups were planning to file and if they did, ONRC would be "perceived as the momentum behind it." He went on to explain the political rationale behind the suit.

A RARE II suit may provide the necessary incentive, since the 'locking up' of three million acres will be anathema to them [the timber industry], and the only way to 'unlock' those lands is to pass legislation. Since the industry, for the time being, has much more timber than they can use, they may still wish to wait before settling on RARE II. The lawsuit is the best catalyst we can provide, short of total capitulation on the acreage. If it's not an adequate incentive for the industry, so be it . . .

Even though it doesn't include all the roadless lands in Oregon, the RARE II lawsuit will bring needed perspective to HR 1149, and alert the public to the fact that it is a compromise bill . . . They [the House members] should feel less pressure to compromise on 'their' 1.2 million acre bill if they remember we're not satisfied with it either.[71]

Before Hatfield unveiled his plan in February 1984 there were reports that 1 million acres was the "magic number" his bill would not exceed. At a summer field hearing he was reported to have said the bill would probably be somewhere between 600,000 and 1 million acres. At about the same time one of his staff assistants said the bill would be about 900,000 acres. However, it was Tom Imeson's assumption that there was no magic number because that was "too crass" a way to deal with the issue, which he thought should be approached based on the merits of the individual areas.[72] But ONRC concluded from conversations with congressional staffers that an agreement had been reached not to exceed 1 million acres.[73] They began to dig in their heels against a

reduction of what they thought was already a modest 1.2-million-acre House bill.

When Hatfield told the Sierra Club leaders at his February meeting that he would introduce a bill close to 1 million acres, Ron Eber was "astonished" because he thought it would be much lower. (His enthusiasm was later tempered when the Senator included a lot of "backcountry" in the bill.) [74] In the fall of 1983 Tim Mahoney had told Hatfield's staff that the Sierra Club would not press for a conference committee between the House and Senate if the Senator's bill was at least "moderately good." The 950,000-acre bill, including the backcountry Oregon Cascades Recreation Area and John Day Fish Management Zone (later changed to wilderness), lived up to that description. Moreover, the Sierra Club was very pleased with Hatfield's role in breaking the deadlock over release language. They stuck by their agreement, which effectively excluded them from most of the final negotiations.[75]

Hatfield stated that as Chairman of the Senate Appropriations Committee he would have no time for a conference committee. He agreed to listen to requests from the House but asserted that his bill would have to be accepted essentially as it was if the delegation wanted a wilderness act before the 1984 election. The Wilderness Society and the Sierra Club took him at his word, as did Congressmen AuCoin and Wyden who accepted his bill, which brought vehement charges from ONRC that they had "capitulated." (They said they wished they had gotten 1.2 million acres but that was "just not to be.") [76]

The bill's final months were painful for the ONRC staff. For years they had proclaimed their goal of protecting all of the 3.4 million acres of RARE II roadless land. They had recruited local groups to support almost all of these areas and thus it was impossible for them to engage in political negotiations that appeared to be "selling them out." The Sierra Club, which was more willing to "prioritize," felt that ONRC was "setting up their members for a big loss" that they could then blame on the Club and Congressmen AuCoin and Wyden.[77] ONCR had wanted a conference committee which they thought might have increased the acreage by as much as 100,000 to 150,000 acres.[78] The Sierra Club was very anxious to avoid a conference because they were afraid that Senator McClure would be involved.[79] Ron Eber believes that even if a conference had been held it would have resulted in an increase of only about 30,000 acres, "which certainly cannot be considered a capitulation."[80]

Congressman Weaver had not accepted Hatfield's bill and at the last minute was able to get two final changes—the addition of the rest of the Grassy Knob area and the substitution of Monument Rock for what was believed to be the less threatened Glacier Peak area. Looking back on the tortured history of the bill, Tim Mahoney believes that all the participants played essential roles in its passage:

> *Seiberling was the go-between at the end. The delegation was not getting along. Hatfield made two last minute changes, adding Grassy Knob in Weaver's District, and switching Monument for Glacier after Weaver asked ONRC to choose, the only time in the whole process where ONRC had made a choice. It seemed each person or group believes he was the key in the final resolution. AuCoin believes if he hadn't worked with Hatfield in that earlier period, Hatfield would not have gone for soft release and if he*

had not endorsed the Hatfield bill, it would have fallen apart at the last minute. Weaver believes that if AuCoin had been more hard line we could have had a better bill. If Weaver had not hung out in the end, we could not have gotten Monument or Grassy Knob and he's right and AuCoin is right. I think they're both right. ONRC believes that if the Sierra Club had been more confrontational we could have had a bigger bill and if we had called for a conference we could have jerked Hatfield up a little further. They believe because they didn't give up, they got Grassy Knob and Monument Rock and maybe they could have had others. They're probably right. But we believe we never would have reached that point if we hadn't worked the bill the way we did. Despite all the in-fighting that took place in Oregon within the delegation and the environmental community, it worked in almost a textbook way, having both inside and outside players and hardline and softline people who were able to get the bill through. The hardliners were able to improve it over what the softliners could get and the softliners were able to keep the machinery running.[81]

Notes

1. Robert T. Wazeka, "Organizing for Wilderness," Sierra Club Bulletin, 10/76, p. 50.
2. Ibid., p. 50.
3. Ibid., p. 49.
4. Imeson interview.
5. OWC/YCCIP application, n.d., Holly Jones' Files, FSHS.
6. Jim Montieth to Sierra Club National Wilderness Committee, 2/15/77, Holly Jones' Files, FSHS.
7. Kerr interview.
8. Mahoney interview.
9. Interview with Clif Merritt, Denver, CO, 3/15/85; Wazeka, "Organizing," p. 51.
10. Wazeka, "Organizing," p. 50.
11. Ibid., p. 51.
12. Jim Montieth to OWC Executive Committee, 5/8/76, Holly Jones' Files, FSHS.
13. Wazeka, "Organizing," p. 50.
14. Jim Montieth to OWC Executive Committee, 5/8/76.
15. Jim Montieth to Sierra Club National Wilderness Committee, 2/15/77.
16. Interview with Jim Montieth, Washington, DC, 4/3/85.
17. Kerr interview.
18. Ibid.
19. Ibid.
20. Montieth interview.
21. Richard Worthington to Forest Supervisors and Directors, 12/30/81, SC records, FSHS.
22. "Steve Forrester's Northwest Newsletter," 7/27/81.
23. Kerr interview; Imeson interview; "Oregonian," 7/24/83; "Wild Oregon," Fall 1984, p. 7.
24. Montieth interview.
25. Interview with Arnold Ewing, Western Oregon Timber Association, Eugene, OR, 3/11/85.
26. Imeson interview.
27. Kerr interview.
28. Ibid.; Mahoney interview.
29. Mahoney interview.
30. Ibid.

31. Interview with Greg Skillman, Eugene, OR, 3/12/85.
32. Ibid.
33. Ibid.
34. Rick Battson to Steve Levy, 10/17/80, SC records, FSHS.
35. Jim Montieth to Forest Wilderness Leaders, 2/13/81; telephone interview with Ron Eber, 3/18/85.
36. Jim Montieth to Oregon Forest Leaders, 12/22/81, SC records, FSHS.
37. Interview with Gerald Williams, Eugene, OR, 3/24/86.
38. Interview with Steve Evered, former aide to Les AuCoin, Washington, DC, 3/27/85.
39. Skillman interview.
40. Evered interview; "Eugene Register-Guard," 12/17/82.
41. Mahoney interview.
42. Kerr interview.
43. Mahoney interview; "Steve Forrester's Northwest Letter," 6/11/84.
44. Interview with Rolf Anderson, Eugene, OR, 3/24/86.
45. Imeson interview.
46. Ibid.
47. Jean Durning to Peter Coppelman, 11/3/83, Peter Coppelman's files, FSHS.
48. Imeson interview.
49. Interview with Mike Kerrick, Eugene, OR, 3/24/86.
50. Skillman interview.
51. "East Linn County: A Case Study in the Effects of Wilderness," Oregon Women for Timber, 5/1/83, SC records, FSHS.
52. Kerrick interview.
53. Eber interview.
54. Wendell Wood, president of ONRC, to the Oregon Sierra Club, 3/19/84, SC records, FSHS.
55. Montieth interview.
56. Interview with Jean Durning, Washington, DC, 3/27/85.
57. Imeson interview.
58. Interview with Holly Jones, Eugene, OR, 3/12/85.
59. Skillman interview.
60. Durning interview; "Oregonian," 4/2/84.
61. Imeson interview.
62. Interviews with Jack Wright and Dick Schwarzlender, Roseburg, OR, 3/25/86.
63. Interview with Mike Anderson, Washington, DC, 3/27/85.
64. Ewing interview.
65. Jim Montieth to Governing Council Members, 4/12/83, SC records, FSHS.
66. Kerr interview.
67. Anderson interview.
68. Skillman interview.
69. Mahoney interview.
70. Kerr interview.
71. Jim Montieth to Tim Wapato et. al, 12/2/83, SC records, FSHS.
72. Imeson interview.
73. Montieth interview.
74. Eber interview.
75. Mahoney interview.
76. Evered interview; "Wild Oregon," Fall 1984, p. 22.
77. Eber interview.

78. Kerr interview.

79. Mahoney interview.

80. Eber interview.

81. Mahoney interview.

In 1979 it had seemed that the California wilderness bill would break the deadlock over roadless areas. In the 1970's California wilderness activists had been involved in several of the decade's most important events, including the 1972 Sierra Club suit and the 1979 State of California suit against RARE II. The California bill seemed to offer several advantages. California had the largest amount of remaining roadless land, it was the home of the Sierra Club, and it had Senator Alan Cranston, a strong supporter of the wilderness movement. Perhaps most importantly it had Congressman Phil Burton, a legislator of legendary proportions, who was eager to put all of his considerable energy and ability behind a strong wilderness bill. In 1978 he had secured passage of a mammoth $1.8 billion national parks bill, sometimes called Burton's Park Barrel Act. Even adamant foes of the Federal ownership of land supported the bill when they discovered that Burton had allowed their districts to participate in its benefits. After Burton's death the Los Angeles Times related one example of his ability to disarm political opponents:

> *Congressional veterans recall that even Former Rep. Robert Bauman (R-Md.), who would stalk the House floor and stall bills that would convert private lands to public, allowed Burton to proceed with the huge measure after Burton arranged for quick passage of legislation naming a monument after Bauman's GOP mentor, Rogers C. B. Morton.*[1]

Burton was not himself a nature enthusiast, it having been said of him that he only went outside to smoke, but he considered wilderness a worthy liberal cause for which to fight. Burton represented many Sierra Club members in San Francisco and over the years had come to rely on the judgments of the organizations' professionals, especially Tim Mahoney and Russ Shay. He accepted their statements that certain areas were suitable for wilderness designation. Jim Eaton of the California Wilderness Coalition remembers that once several wilderness activists met with Burton to lobby him on the merits of the Ishi roadless area, which they described at length in glowing and loving terms. Burton appeared to be taking copious notes. After the meeting Eaton glanced at Burton's note pad and saw only the laconic "Ishi—good" surrounded by doodles.[2] Burton, however, was solely responsible for legislative strategy, much of which was stored in his head, so that even his aides did not know what deals he was making and were sometimes puzzled by obscure references to matters they knew nothing about. On rare occasions, he irked his wilderness supporters—the decision to insert a clause in the 1979 bill permitting mining in one proposed wilderness area was one such irritant—but on the whole wilderness activists had great admiration for him and could only "scream" a little when his legislative dealing forced a momentary deviation from their line.[3]

Burton's approach was quite different from that of his friend John Seiberling, who enjoyed wilderness

outings and often reached his own conclusions about wilderness suitability. When the two contrasting personalities met—the gruff, gravel-voiced, bulky Burton and the quieter, more refined Seiberling—it was often an occasion for mirth, as Tim Mahoney recalls.

> *Burton really loved Seiberling. He respected him and called him the 'Boy Scout' and the 'Patrician.' He would say 'you patrician, good to see you again, John' and he'd say 'well if we want to get this wilderness [boundary] line, we'll have to find some way to hold the Congressman to it.' And Seiberling who knew the wilderness issue but didn't think politically the way Burton thought would say something like 'well, he should be appreciative because we just passed out his little private bill last week.' And Burton would exclaim in feigned outrage, 'What, you did what? You passed his bill. John, tell me you didn't pass his bill.' And Seiberling would say, 'well, Phil you voted for it.' Burton replied, 'John, I'd vote for anything you asked me to vote for but let's say there was a mistake. Let's try to hold it up before it gets to the floor. Let's say you made a mistake and I won't let you pass it.' One time Seiberling had arranged one of his field trips to California and had gotten helicopters to see the areas and Seiberling said 'Phil, I really thought you might like to go along' and Phil answered, 'John, be serious, John.' Seiberling responded, 'Well, I arranged for some extra large helicopters.' Burton replied, 'John, give me a break, John.' It was very funny to watch them.*[4]

Much of the controversy over California wilderness was centered in the northern California Siskiyou Mountains and Trinity Alps, two of the largest roadless areas outside of Idaho. Citizens of Trinity, Siskiyou, Humboldt, and Del Norte Counties were the Californians most directly affected by large wilderness proposals.

After World War II the timber industry boomed in northern California as many loggers from Oregon moved their operations into the region to harvest its relatively untapped National Forests. Many immigrants moved into Humboldt, Siskiyou, and Del Norte Counties to take advantage of the new opportunities. There was a smaller migration, however, into Trinity County, which retained a much higher percentage of "pioneer" families who valued the relatively undeveloped state of their environment. The people who did migrate to Trinity were, in large part, from southern California and came there to enjoy the area's natural environment. Trinity County was also different from its neighbors because although timber was cut there, most of it was processed outside its boundaries. Consequently, many of its residents were not dependent on the timber industry and relied instead on more traditional occupations and the burgeoning recreation business for their livelihoods. These two factors made Trinity County much more favorably disposed towards wilderness than its neighbors.[5] The County was destined to play a pivotal role in negotiations because the bulk of the million-acre Trinity Alps area lay within its borders.

By the early 1980's the boom had gone out of the northern California timber industry. Congress, and especially Phil Burton, had created the Redwood National Park in 1978, displacing many industry workers and removing a substantial amount of timber from the region's potential base of supply. The Redwoods Act had promised to make good that

deficit by increasing harvests from the Six Rivers National Forest. In 1977 Governor Jerry Brown asked representatives of the environmental organizations and the timber industry to sit down and see if they could reach an agreement over wilderness allocation in northern California. John Amodio, at that time a Sierra Club volunteer in northern California, believes his side was on the verge of striking a good bargain ("perhaps better than we got in 1984") when RARE II was announced, ending the negotiations. But George Craig, former Executive Vice President of the Western Timber Association, recalls that they had not been close to a settlement and could only agree that Forest Service road standards were "too high." Craig, who spent much of his last decade with the association fighting over wilderness and retired primarily to escape its headaches, observed that his group and the environmentalists had totally different value systems: "It's appalling to me that twenty percent of the national forests, much of it commercial forest land, in California are in the Wilderness System." The discrepancy in their recall of the negotiations is perhaps a reflection of these opposing values and their effects on perception and memory.[6]

When RARE II was announced, the Trinity County government appointed a "philosophically mixed 9-member committee" to make wilderness recommendations for the county. The committee eventually concluded that nearly half of the Trinity Alps roadless area be placed in the Wilderness System, which compared with an initial Forest Service recommendation of 17,000 acres.[7] The timber industry later claimed that the committee had been skewed against it and that its two representatives on it had not been "well informed." [8] However, it is most likely that the committee represented the majority local opinion because wilderness became an issue in subsequent local elections and the officials responsible for creating the committee were reelected. The Trinity County position became the biggest thorn in the side of the timber industry because as William Dennison, who replaced George Craig as director of the Western Timber Association, has said, "Here was a heavily timbered county that wanted a lot more wilderness." [9] (On the other hand, as Regional Forester Zane Grey Smith points out, most of the other California counties accepted RARE II and did not want increases.[10])

Congressman Burton accepted the Trinity County "compromise" and refused to alter it in his bills despite the wishes of some environmentalists, such as Jim Eaton, who wanted more wilderness acreage in the southern part of the county. The "compromise" held throughout the 5-year history of the bill and all of it became wilderness in 1984 with the exception of Pattison Mountain, which ironically had been one of only two small portions of the Trinity Alps that the Forest Service had initially proposed for wilderness designation. Another reason for the ultimate success of the compromise is that Trinity County environmentalists had a direct pipeline to Andy Wiessner, Seiberling's Counsel on the House Public Lands Subcommittee, and thus to Seiberling himself who in 1979 had singled out Trinity County as a "microcosm" that exposed the defects of RARE II. Some leaders of the California wilderness movement occasionally fretted that such secret communication could disrupt negotiations by upsetting their chain of command but in the case of the Trinity Alps everything eventually worked to their advantage.[11] (Both Jim Eaton and William Dennison credit Wiessner with having played an important role in the history of the California bill.)[12]

The environmentalists did not do quite as well in the Siskiyous, although they fared much better than the timber industry had hoped they would. Citizens of Humboldt and Del Norte Counties were on the whole not in favor of a large Siskiyous Wilderness because of the timber industry's difficulties and the effects of the creation of Redwood Park, although environmentalists believe local opinion was beginning to move in their direction. The Pacific Coast Federation of Fishermen's Associations supported a large Siskiyous Wilderness but that support was tempered by the fact that its affiliate in Del Norte County believed the Forest Service could adequately protect its resources in the absence of a designated wilderness.[13] The environmentalists had originally pushed for a 400,000-acre Siskiyous. Burton had decreased that to 160,000 acres out of deference to local Democratic Congressman Harold "Bizz" Johnson. Johnson was a 20-year veteran and chaired the House Public Works Committee and was thus a politician to be reckoned with.[14] Johnson was defeated in 1980 and was replaced by Republican Congressman Norman Shumway who would not negotiate with Burton and was not intimidated by his reputation.[15] No longer feeling bound to his agreement with Johnson, in 1983 Burton increased his Siskiyous acreage to nearly 200,000. The 1984 act designated 153,000 acres, a disappointment for the environmentalists but considered a disaster by the timber industry.

The history of the Siskiyous is similar in several respects to that of the North Fork John Day in Oregon. They were both about the same original size and were subsequently reduced in area by roughly the same percentage. Oregon Indians supported the John Day as California Indians supported the Siskiyous. Finally, both areas had important fisheries resources and were backed by the fishing industry.

In 1979 Johnson introduced a California wilderness bill of 1.2 million acres based on the Carter Administration's final RARE II recommendations. Timber industry representatives had asked Johnson to sponsor a bill of approximately 400,000 to 600,000 acres but Johnson advised them that such a bill would be unrealistic in view of the Carter Administration's proposal. The industry relented but considered the Johnson bill to be their final compromise and throughout the next 5 years did not publicly deviate from that position.[16] In 1982 the timber industry formed a coalition with the mining and outdoor recreational vehicle associations, which opposed the creation of any more California wilderness. This alliance made it virtually impossible for them to change their position, even if they had wished to do so.

Burton upstaged the industry by introducing the first bill a day ahead of Johnson. The Sierra Club was nervous that Burton would introduce a very large bill containing a long list of areas that might appear to substantiate the timber industry's charge that environmentalists were insatiably greedy. His approach was to introduce a simple but large bill by referencing all the Carter Administration recommendations in California, all the areas that remained in further planning in those recommendations, and all of the areas enjoined in the 1979 California lawsuit over RARE II. The result was a 5.1-million-acre bill. Burton of course was not serious about designating virtually all of California's national forest roadless land but it was a characteristic tactical stroke designed to leave his outmaneuvered opponents muttering in their cups. In 1980 Burton introduced his first "real" bill of 2.1 million acres, which contained the first

release language. The Sierra Club had not wanted this language, but they were forced to concede when Burton pointed out it was absolutely necessary to pass a "good" bill. According to Tim Mahoney, Burton's strategy was to

> *. . . assure that he had an absolute majority in the Interior Committee, so that he could overrun any possible amendments to his negotiated package, and furthermore to have an overwhelming majority on the floor, so that he could take his bill up under the suspension calendar . . . Finally, when Burton negotiated with some Members, he did it one-on-one, and knew no bounds as to trading stock, so that it was very difficult for one Member to know what another had negotiated . . .*
>
> *With regard to the Republicans, the first one that he went after was Robert Lagomarsino, a member of the Interior Committee and a man who Burton had worked with frequently on the Parks Subcommittee . . . We learned that this meant that Lagomarsino would call the shots exactly for every area in his district, which included a large hunk of the Los Padres National Forest . . .*
>
> *The second Republican that Burton would go after was Don Clausen, whose district ran up the north coast of California and contained the newly expanded Redwood National Park. Clausen's district contained the western half of the Siskiyou Mountains area, probably the most contentious timber/wilderness debate in the California bill. Burton seemed to be confident that with enough pressure, Clausen could be made to agree to an acceptable Siskiyou wilderness area, and he alternately pressured and cajoled Clausen for months to get him to agree . . .*
>
> *In the case of Charles Pashayan, local negotiations began in the Fresno area between the timber industry and the conservationists over the fate of the San Joaquin area and in particular for an area on the lower west slopes of the San Joaquin called Pincushion. There, the local timber industry and conservationists agreed on a series of boundaries which Pashayan in the end reluctantly endorsed . . .*
>
> *In Bill Thomas' district, which included Golden Trout, another controversial timber/wilderness conflict, conservationists worked out a large, complicated agreement with Congressman Thomas which ultimately was written up and signed by Thomas and Joe Fontaine of the Sierra Club. The agreement called for the creation of, among other things, a South Sierra wilderness which was immediately contiguous to Golden Trout but was given a separate name so opponents of the bill could not accuse us of expanding the very controversial area . . .*
>
> *On the Democratic side, the key was Bizz Johnson or "the Bizzer," as Phil referred to him in our meetings. Again and again, Phil would say, "I gotta have the Bizzer." The problem for us was that Johnson's district extended over from the Lake Tahoe region all the way north to the Oregon border. It contained the east side of Siskiyous, the popular Granite Chief, Ishi near Chico, as well as all of Trinity County. Burton*

had decided beforehand that the negotiated Trinity County was going to be in the final bill, no matter what, and all other areas in that district were going to take second place. Like Clausen, the negotiations with "the Bizzer" were long and arduous. Area after area were conceded to Johnson, despite our pleas.[17]

Senator Cranston was up for reelection in 1980, and Burton had taken several potential ski areas out of his proposed wilderness in order to protect Cranston from criticism by the ski industry. (Developed skiing is prohibited in wilderness.) A few years earlier Cranston had been attacked for his part in stopping the Disney Enterprise's planned ski resort in Mineral King and skiing had become a sensitive issue for him.[18] Despite Burton's apparent solicitude for the industry, he was attacked by its national trade representative who did not think he had done enough. In later bills Burton retaliated by putting back into his bill the Sheep Mountain area, the most important of the potentially good ski areas. According to Jim Eaton, this feud had little real impact because the ski "deal had already been cut" on the local level.[19]

Senator Cranston did not want to introduce a bill before his election; however, he promised to introduce one in the lameduck session in November. The Republican capture of the Senate in the 1980 election upset that plan. Republicans were not about to let Democrats pass bills in a lameduck session when they would soon be in the majority. Republican Senator S.I. Hayakawa was opposed to any California wilderness bill, which meant that California, like the other RARE II States, would be embroiled in the debate over the release question. Writing in December 1980, Tim Mahoney credited the California bill with having provoked the timber industry's reexamination of release language.

The timber industry began backing off its position on release after House passage of the California Wilderness bill. While the big national timber industry groups never endorsed the California language per se, I felt that they used the release argument primarily as an excuse to oppose the California bill, which contained acreage which at least the major timber organizations of the Northwest felt was excessive. Perhaps they were seeing whether they could tinker with the release language in trade for the large California acreage or more likely, they just didn't want a California bill and decided that unwillingness to deal on the release question was a good pretense for killing the thing off.[20]

In 1981 Burton passed out his bill again but in the meantime Senator Hayakawa had stiffened his resistance and was now the sponsor of the industry's nationwide release bill. When Senator Henry Jackson was chairman of the Senate Energy Committee he had established an informal principle of moving statewide bills only if they were supported by both Senators from that State. Senator McClure continued that tradition.[21] Consequently the California bill was not given a Senate hearing. Doug Scott of the Sierra Club could only plot strategy and vent his frustration over Senator Hayakawa's position:

Once we have a California wilderness bill passed by the House and resting in the Senate, we are in the face-down between what we want (that bill) and what we do not want (Senate action on S. 842) [nationwide release]. Caught straight in the

middle is our least favorite 1982 Senate candidate, S.I. Hayakawa.

Those circumstances suggest to me that we ought to be thinking about doing a large-scale mailer in California—perhaps to our entire membership (bulk rate).

The point would be to isolate and raise hell with Hayakawa, hitting him in both directions: for what he is doing with S. 842 and what he is not doing with the House-passed Burton bill . . .

If we do this, the earlier the better . . . We'll have potential for shaping the confrontation with Sam, fixing that confrontation in the minds of our people and the press, so that it will haunt him all through the next year and a half! A key point is to develop a format and a text which puts Sam on the defensive to the maximum extent.[22]

Hayakawa had earned a national reputation in 1969 for taking a hard line against student protestors at San Francisco State University of which he was president. He was well known for taking strong positions and then refusing to budge from them. Most observers suspected he would not run for reelection in 1982. Environmentalists could only wait for the election of a new Senator.

The environmentalists supported Governor Jerry Brown in the 1982 senatorial campaign but were not distraught over the election of Republican Pete Wilson even though he had been backed by the industrial groups opposing the Burton bill. As a state legislator, Wilson had sponsored bills protecting California's coastline and had established development planning for San Diego while mayor of that city. Unlike Senator Hayakawa, he was an experienced politician. After his election, he stated that passing a RARE II bill was one of his first priorities. Environmentalists were encouraged. They reminded Wilson's staff that his predecessors (Senators Murphy, Tunney, and Hayakawa) had been "lightweights" who had only lasted one term and that Wilson could break that trend by helping to pass a "good" wilderness bill.[23] Of course, they were aware that Wilson had statewide constituency that included more than wilderness enthusiasts and that substantial contributions to his campaign had come from the ranks of their industry opposition. They were prepared for hard bargaining from Wilson and anticipated the loss of some acreage from the Burton bill.

Burton's 1983 bill totaled 2.4 million acres, up 300,000 acres from the previous bill. Most of this new acreage was in the district of Republican Congressman Shumway who had replaced Bizz Johnson. Don Clausen, the ranking Republican on the House Interior Committee, had been replaced by Democrat Doug Bosco. Clausen had reluctantly supported the previous Burton bill but Bosco was concerned about the amount of proposed wilderness acreage in his district and during the next 2 years attempted to get some reductions. (All of the other Democrats in the delegation supported Burton's acreage.) Burton had managed to pass his previous bills without opposition from other members of the California delegation, but the political situation had changed in 1983. Much of Burton's power within California stemmed from his ability to dictate congressional boundaries during redistricting. Representatives, especially Republicans who feared that they might be "redistricted out of existence" had to heed Burton. California had been redistricted in 1982 and the Democrats had gained

seats. Most of the remaining Republicans considered that their old deals with Burton had expired. In a move that perhaps Burton alone was capable of carrying off, the roadless areas had also been redistricted.[24] Tim Mahoney describes the somewhat confusing effect that action had on the political situation following the election.

> *Burton said, 'I wasn't sure what to do with these roadless areas in the redistricting. I thought I'd shuffle them around and mix things up and see what happened. Maybe it wasn't such a good idea.' Everybody had different roadless areas. Shumway's district moved from central to northeast California. [Gene] Chappie's (R) district which used to have lots of roadless areas in northeast California, now hardly had any. [Charles] Pashayan's (R) district had been moved from the central to the southern end of the Sierra. [William] Thomas (R) had been shoved from the southern end of the Sierra out of the Sierra completely. There are no people in the mountains so you run the lines any way you want. Shumway had not made any deals in his district; they dated from "Bizz" Johnson. [Richard] Lehmann (D) and [Tony] Coehlo (D) were fine . . . The Republicans wanted to fight except for [Robert] Lagomarsino (R) and [Ed] Zschau (R).*
>
> *Another change concerned the timber industry officials who had negotiated the lines on the Pincushion area. Their parent company, the Bendix Corporation, had swallowed or been swallowed by another company in a corporate takeover, and the new management of the mills in the Fresno area were no longer sympathetic to working on a negotiated solution, . . . This freed up Congressman Pashayan to more actively oppose the bill in 1983.*
>
> *This complicated matters in the south Sierra area, where controversy between the offroad vehicle enthusiasts and conservationists erupted over the Monache Meadows area. Congressman Thomas, who stood by his old agreement, no longer represented the area. Congressman Pashayan was more vocal in opposition to areas that had previously been in his district and to areas that had previously been in Thomas' district. Whereas in southern California, the old proposals were just adopted in the new Congress with virtually no peep from the newly elected or newly redistricted Congressmen.*[25]

In April 1983, Congressman Burton died at age 56 of a stomach rupture. His death left environmentalists momentarily dazed; most of the strategy for the bill had been in Burton's head. They feared that his deals would unravel now that he was no longer around to guarantee them. Patti Hedge, who had recently been appointed The Wilderness Society's California representative, realized that she and her colleagues would have to increase their efforts to familiarize themselves with the roadless areas and to work with the press and Congressional delegations. All of the major California newspapers supported a large wilderness bill, which was due in part to The Wilderness Society's efforts.[26]

Congressmen Udall and Seiberling took over the floor leadership of the bill, which passed by a large majority, opposition having been muted by the fact that the bill was interpreted as a memorial to Burton, who had been dead for only a few days. After House passage of the bill, Udall

quipped: "Leave it to Phil Burton to make the most of his own demise." [27] These and similar remarks reflected respect for a man whom former Senator Gaylord Nelson (now president of The Wilderness Society) called "an authentic legislative genius." [28]

The environmentalists were fortunate that Burton's wife, Sala, assumed his seat. She was familiar with the negotiations over the bill and made its enactment her first priority, taking on the task of selling the House-passed bill to Senator Wilson. She was on good terms with Congressmen Udall and Seiberling and during the next year played an important role in facilitating negotiations with Senator Wilson.[29]

Earlier in the year Senator Cranston had introduced the first Senate bill. It was identical to Burton's bill, except for one novel feature—the designation of 45 miles of Tuolumne River in central California as a Wild and Scenic River. The Turlock and Modesto County Irrigation districts had wanted more dam construction on the river for hydroelectric generation. They were opposed by the Friends of the River, an organization of river enthusiasts and professional river runners who hired John Amodio to direct a campaign to save the Tuolumne. The Friends had just lost a battle over the damming of the Stanislaus River, and their employment of Amodio, a veteran of California environmental battles, indicated their determination not to lose the Tuolumne, touted as one of the best white water rivers in the West. The Tuolumne was a sensitive issue for California Democrats; the interested irrigation districts were represented by Tony Coehlo, the chairman of the House's Democratic Congressional Campaign Committee, who opposed Wild and Scenic designation for the river.[30] According to Tim Mahoney:

> *Seiberling had been leery of the Tuolumne River inclusion, concerned, as was Sala Burton, that it would alienate Coehlo. It was not that they were so concerned that Coehlo himself would defeat the entire package, but that House Republicans, led by Shumway and Pashayan, would still repudiate the package, and that any disaffection by Coehlo would gain them enough control to shoot the bill down in the House.*[31]

As a result of the political problem, friction had developed between wilderness and river activists. Some wilderness activists feared that a bill "burdened" by the Tuolumne's political difficulties would be compromised or might even be defeated. The "river people" were smarting over the fact that the national environmental organizations had blocked a 1982 Wyoming wilderness bill that Senator Malcolm Wallop had attached to a rivers' bill protecting the Tuolumne without first having consulted their organization. When John Amodio joined the Tuolumne River Trust, a spinoff of the Friends of the River, he found that some of his friendships with wilderness activists had become a little strained, with Andy Wiessner remarking once in jest, "You better not go north of Marin County." [32]

With both the House and Senator Cranston behind large wilderness bills, Senator Wilson now held the "shotgun" over the fate of the roadless areas and the Tuolumne River. Wilson had held off meeting with the interest groups until the spring of 1983. During the summer his staff and Cranston's staff began to talk. The nervous anticipation surrounding Wilson's first foray into wilderness politics was described by Patti Hedge in a letter to Wilderness Society headquarters.

> *The first go-round of the Cranston-Wilson agreement is,*

on the one hand, cloaked in secrecy; on the other, naturally, it is the subject of constant rumor. Curiously, no one has asked directly 'is there an agreement?' As though eager to play a part in an inner conspiracy, the grassroots folks call and ask the likely fate of 'their' proposed wilderness area, their language couched to protect each of our roles in this process. I do think everyone understands we have a very difficult course yet before us and at this juncture we have only an agreement between Cranston and Wilson to take one more step forward.

Unfortunately, the future looks ominous with Jim Burroughs, Wilson's aide, frequently scooting over to ask Andy Wiessner if it would be acceptable to make this or that deletion, all in an attempt to get another 100,000-acre reduction in the bill. Everyone is holding firm during this phase of negotiations, explicitly stating no more cuts.[33]

The Forest Service was also keeping a close watch on the progress of negotiations. In September John Chaffin of the San Francisco Office wrote a memo to Regional Forester Zane Grey Smith describing a recent meeting among Wilson, Cranston, and Seiberling.

Jim Burroughs of Senator Wilson's staff discussed a 1.8 million-acre 'compromise' about 10 days ago to interested groups here in California. The Chamber of Commerce group gave him no commitment of support, though Burroughs feels he has pretty well accommodated other interest groups.

Last week Senator Wilson, Cranston, and Congressman Seiberling met. Seiberling's 'bottom line' is 1.9 million-acres; Wilson's is 1.8 million. Actually, the difference is probably greater than this. I imagine there are wide differences in which areas are 'in or out' . . .

Senator Wilson also met with Assistant Secretary John Crowell to brief him. Crowell's reaction was that we don't need a bill badly enough to give away the farm. Crowell has no feel for whether or not the President would consider a veto if an unacceptable bill passes.

Burroughs (and Wilson) is not overly optimistic that agreements can be reached with Seiberling. If not, he'll drop the bill for this session.[34]

In the fall of 1983 Jim Burroughs, Cranston aide Kathy Files, Andy Wiessner, and Jean Toohey, the minority counsel for the House Public Lands Subcommittee, met several times and worked out a 1.9-million-acre compromise. The environmentalists believed that this agreement had the support of both Senators but when it was brought to the timber industry, it was strongly rejected, causing Wilson to disassociate himself from it. Having been brought down to 1.9 million acres, the environmentalists feared they would be subjected to a "second bite" strategy. The timber industry had found nothing encouraging in the negotiations; despite the deletion of some areas, all of the areas that primarily interested them were still part of the compromise proposal.[35]

In February 1984 Wilson announced his support for a bill containing 1.69 million acres. This bill also placed the Tuolumne River in Wild and Scenic status. The Friends of the River had been very successful in generating a large volume of mail

to Wilson and in getting favorable newspaper editorials. Indeed, protecting the Tuolumne had become the single most prominent issue in California and at times appeared to be outdistancing the wilderness bill in the public's attention. Cynics speculated that Republican support for the Tuolumne was readily forthcoming because it was their chance to hurt Tony Coehlo, the "Democrat Republicans love to hate." [36] In retrospect it seems likely that this was not the only motive, given the large outpouring of popular support for the Tuolumne.

After Wilson's announcement it seemed obvious that he was positioning himself for a compromise at 1.8 million acres, midway between the 1.9-million-acre staff proposal and his 1.69-million-acre bill. The question to be decided was which areas would be included in the final total. The necessity for reductions from the Burton bill acreage led to some painful discussions within the environmental community. Patti Hedge remembers meeting with David and Ellen Drell, principal local supporters for the Yolla Bolly's additions, an area also of prime concern to the timber industry. Hedge, who was not personally familiar with the area, asked them what kind of compromise boundaries they would consider. Ellen Drell refused to be drawn into any compromise and angrily retorted: "We don't have to be tainted by the compromise. You do." They were soon reconciled but Hedge, a relative newcomer to the wilderness movement, learned an important political lesson—all the participants had their own roles to play if a bill was to be passed.[37]

Negotiations dragged on into August 1984 after four other western wilderness bills had been enacted. Senator Wilson had threatened to let the bill die if he did not get some concessions. The Friends of the River became panic stricken because if the Tuolumne were not saved it was in fairly immediate danger of being dammed. To many it had seemed that the Tuolumne had been the "caboose" riding on the wilderness train but now that the bill was in danger of being derailed, the river people wanted to get off. They asked Wilson to proceed with a separate Tuolumne bill.[38] Then in a final flurry of negotiations, essentially a trade of acres for areas, the final deal was made. Senator Wilson would get a 1.8-million-acre bill (i.e., his "bottom line" as described in the Forest Service letter of September 1983), whereas Senator Cranston would be allowed to pick most of the areas. As a result, although the 1.8 million acreage appeared to be a sharp drop from Burton's 2.4 million acres, the environmentalists got most of their principal areas. In addition, the bill kept 1.7 million acres in "further planning" status. The bulk of this acreage was located on the Inyo and Los Padres National Forests where timber values were relatively low, reducing the probability that these areas ultimately would be developed. The environmentalists' biggest disappointment was that they did not get more in the Siskiyous.[39] However, they retained all of the contiguous Pincushion area, a commercially timbered forest on flat terrain. (The Minarets and Pincushion now make up the Ansel Adams Wilderness.) According to Tim Mahoney:

> *While the final bill as a whole was smaller, a lot of the areas that Burton really worked hard at, getting us great boundary lines, stayed in the bill. The numbers are deceptive. We won the battle very much.*[40]

The Forest Service had been involved by providing maps and resource information but had left the acreage decisions to the interest groups and politicians.[41]

The timber industry reacted to their loss of valuable timbered areas by refusing to endorse the bill, as their counterparts had done in the other Western States. The California Mining Association was especially angry and wrote Wilson a letter of bitter reproach.[42] In January 1984, a disappointed William Dennison, anticipating the final outline of the wilderness bill, told his members why he thought they had lost:

> *In utilizing the wilderness issue as the basis of the socio-political process you will undoubtedly realize that the competition for our natural resources is based on differences in values. How those values are expressed and interpreted can make the difference in the final outcome of most political battles. The preservationists have learned to convey their perception of values in a manner that many individuals can relate to even though they may not fully understand or care to know of the indirect and direct economic ramifications. The other national forests users, cattlemen, timber industry, recreational groups, etc., have often relied upon statistics, that although factual are not appealing and often not understandable to the 'public' nor to political leaders. These diversified groups have learned the folly in this approach the hard way: through political restrictions and land withdrawals for single-purpose often under the guise of environmental protection. The California Wilderness Bill pending Senate review offers a still greater threat to those who see need in use of the national forest land for other than wilderness experiences.*[43]

Notes

1. "Los Angeles Times," 4/12/83.
2. Interview with Jim Eaton, Berkeley, CA, 3/8/85.
3. Interview with Russ Shay, Washington, DC, 2/6/85.
4. Mahoney interview.
5. Eaton interview.
6. Interview with George Craig, San Francisco, CA, 3/7/85; Interview with John Amodio, San Francisco, CA, 3/6/85.
7. Roth, *The Wilderness Movement,* p. 59.
8. Interview with Bill Dennison, San Francisco, CA, 3/7/85.
9. Ibid.
10. Interview with Zane Grey Smith, San Francisco, CA, 3/20/86.
11. Eaton interview.
12. Eaton and Dennison interviews.
13. Del Norte Fishermen's Marketing Association, n.d., Bill Dennison's files, FSHS.
14. Mahoney interview.
15. Shay interview.
16. Dennison interview.
17. Letter from Tim Mahoney to author, 11/11/86, FSHS.
18. Shay interview.
19. Eaton interview.
20. "Wilderness Record," Davis, CA, November–December 1980, SC records, FSHS.
21. Mahoney interview.
22. Doug Scott to Russ Shay, 7/31/81, SC records, FSHS.
23. Shay interview.
24. Mahoney interview.
25. Ibid.

26. Interview with Patti Hedge, San Francisco, CA, 3/5/85.
27. "Los Angeles Times," 4/12/83.
28. Ibid.
29. Hedge interview.
30. Amodio interview.
31. Letter from Tim Mahoney to author, 11/11/86, FSHS.
32. Amodio interview.
33. Patti Hedge to Bill Turnage, 9/6/83, Peter Coppelman's files, FSHS.
34. John Chaffin to Zane Grey Smith, 9/27/83, FSHS.
35. Dennison interview.
36. Shay interview.
37. Hedge interview.
38. Amodio interview.
39. Eaton interview.
40. Mahoney interview.
41. Smith interview.
42. Ray Hunter to Pete Wilson, 4/12/84, FSHS.
43. William Dennison, Executive Seminar Series, 1/17/84, Bill Dennison's files, FSHS.

The timber industry was the environmentalists' principal adversary in California and Oregon. In Wyoming they confronted the oil and gas industry. Wyoming is the least populous Western State, the only one still represented by a single Congressman. Until the 1970's the principal businesses were ranching, outdoor recreation, and tourism. Most Wyomingites had traditionally been suspicious of the Federal Government and had chafed at the fact that 56 percent of their land was managed by the Forest Service and the Bureau of Land Management. In the late 1940's and early 1950's Wyoming led an effort to transfer Federal grazing land to the States or at least to acquire statutory vested rights in its use. From 1979 to 1981 its legislature participated in the so-called Sagebrush Rebellion, another attempt by several Western States to gain control of Federal land.

Lacking large cities, Wyoming did not have the kind of strong urban wilderness movement that was found in most other Western States. In 1980, the Sierra Club had 325 members in the entire State. Unlike its northern neighbor, Montana, which was also primarily rural, Wyoming had not been dominated by the mining industry in the 19th and early 20th centuries and thus had not developed an indigenous conservation movement in reaction to eastern mining interests. Nevertheless, many Wyomingites valued their State's spectacular scenery and wildlife and wanted to keep the environment the way it had always been, even if that goal occasionally conflicted with the wish to minimize the intrusions of the Federal Government in their lives. Before RARE II nearly 20 percent of Wyoming's National Forest land had been placed in the Wilderness System.[1] In the late 1960's Wyoming began to experience rapid social and economic change. In the arid southwestern corner of the State, oil and gas companies began to make discoveries in the Overthrust Belt, a geological formation of uplifted and convoluted sedimentary rocks capable of storing oil and gas that stretches from Mexico to Canada. As RARE II was being conducted, companies were making discoveries farther north in the wilderness environment of the Greater Yellowstone Ecosystem, a 4-million-acre expanse of National Forest land surrounding the 2-million-acre National Parks (Yellowstone and Grand Teton). The Palisades roadless area west of Jackson was covered with leases and lease applications and just outside of Jackson in the Little Granite Creek section of the Gros Ventre roadless area, Getty Oil had been granted a lease for oil and gas.[2]

Development-oriented Wyomingites and some recent immigrants to the State welcomed the economic opportunities created by the oil and gas boom. Environmentalists and some ranchers, who feared it would disrupt their traditional lifestyle, were not so pleased. Oil companies and even environmentalists agreed that a major oil and gas find would open up the region's National Forests to a deluge of further exploration and drilling. In 1980 Reid Jackson, the supervisor of the Bridger-Teton National Forest, which was at the center of conflict in northwest Wyoming, recognized

what seemed to be the inevitable logic of the law and was quoted as saying, "There is no way we are going to say no." [3]

The final RARE II proposal recommended that 995,000 acres of Wyoming roadless land be placed in the Wilderness System. As it turned out, this was a relatively generous figure that at the time outstripped the majority view in the State. The 1984 act included 884,000 acres and only came about after several years of pressure on the State's congressional delegation by State and national environmental organizations and Congressmen Udall and Seiberling. The Wyoming Wilderness Act was the only bill passed in 1984 in which the final acreage was higher than the State delegation had wanted. After RARE II most environmentalists opposed a national wilderness bill. However, in Wyoming, Phil Hocker, a prominent Sierra Club member and Jackson architect, saw some benefits for Wyoming wilderness in a national bill, although he doubted it would ever pass. In a letter to Dick Fiddler, the chairman of the Sierra Club's Forest Service Wilderness Steering Committee, he outlined the basic strategy that Wyoming environmentalists were to follow during the next 5 years:

> *Like most Wilderness activists, I have a local axe to grind. Mine happens to be areas which are closely related to Yellowstone National Park and the Region it abuts . . .*
>
> *This seems to me to be an area where a National Bill would be very helpful; there is no way the Wyoming delegation is going to support anything like the amount of wilderness which needs to be set aside to complete the job in the Yellowstone area.*
>
> *However, I don't think any National Bill is going to pass, at least, not the Senate. . . . Despite the advantages for some areas where politics are against us but Nature has been bountiful, I foresee things being hammered out on a case-by-case basis and in a local context . . .*
>
> *Thus we will be counting on outside support to defeat proposals for smaller areas than the Forest Service has recommended . . .*
>
> *National role looks like a two-pronged approach to me: one of supporting and working with Congressional delegations from whom we can expect acceptable proposals, while at the same time firming up our stronger allies and keeping their staffs informed of those directions from which we can anticipate unacceptable legislation to originate . . . so that they can 'see that it receives merciful last rites,' as our former Representative, Mr. Roncalio, said last year of an unacceptable bill.*[4]

The area of greatest concern to the environmentalists was the Gros Ventre in the Bridger-Teton National Forest near Jackson. In the early 1950's, wildlife biologist Olaus Murie was the principal advocate for the protection of this area. Murie was a founder of The Wilderness Society and the world's foremost authority on elk. He turned down the job of executive director of the Society in the early 1940's because he did not want to leave Moose, WY, in the Grand Tetons and give up his study of elk. The job was then given to Howard Zahniser.

Murie had discovered that the half-million-acre Gros Ventre was an essential calving ground for the famous Jackson Hole elk herd. When

he heard that the Forest Service was considering building some roads in the area, he informed the agency of his findings. The Forest Service took his advice and dropped its plans. According to Clifton Merrit, long-time wilderness advocate and friend of Murie: "The Forest Service listened and did not put roads in. Here is an instance where people in the Forest Service paid close attention to what the conservationists were saying." [5] The Gros Ventre was not given any formal administrative protection, the Forest Service having essentially completed its primitive area system in 1939. Instead, it became part of the millions of acres of National Forest land that were not developed either because the Forest Service chose not to do so or because there were no economic incentives to open these areas up.

By the end of the 1970's oil and gas exploration in the Overthrust Belt, which encompassed part of the Gros Ventre, began to provide incentives. The Gros Ventre consisted then of almost 400,000 acres, all of which the environmentalists wanted designated as wilderness. During RARE II the Forest Service recommended 256,000 acres, increased to 280,000 acres in the final Administration proposal. Acreage with strong oil and gas potential in the southwestern part of the area was excluded from the recommendations but not the Little Granite Creek section outside of Jackson where Getty Oil had already obtained a lease in one of the Federal Government's oil and gas lotteries. (For a nominal fee, a company could get a lease in the lottery and then if it made a find would pay the Government royalties of 12.5 percent.) The State of Wyoming contested this claim based on an obscure State law never before invoked. The Department of the Interior, which had originally issued the lease, reconsidered it. Getty Oil had a strong legal case, but the environmentalists felt that if Little Granite Creek were placed in the Wilderness System the lease would become moot because the cost of exploiting it would be prohibitive and Getty would be forced to exchange its lease for one elsewhere.[6]

The Wyoming delegation's first draft Senate bill in 1982 placed 157,900 acres of the Gros Ventre in wilderness and excluded Little Granite Creek. During the next 2 years the environmentalists' principal objective was to augment that acreage. In 1983 the delegation increased the acreage to 225,000, which the environmentalists still thought was far too low. The environmentalists had reduced their proposal to 340,000 acres. In September 1983 Andy Wiessner communicated to his boss, Congressman John Seiberling, the environmentalists' strong feelings about this area.

> *Of the 340,000 total acres included in this proposal, 280,000 were recommended for wilderness in RARE II. However, the entire 340,000 acres is a 'must.' The additional acres comprise critical wildlife habitat on the southern flank of the Gros Ventre Mountains and equally important elk and bear habitat in the Klondike Hill/Tosi Creek area in the southeast. This is the country that Doug Crowe of Wyoming Fish and Game indicated during our 1979 trip was 'perhaps the finest remaining unprotected wildlife habitat' in Wyoming. There is not a 'frivolous' acre in this 340,000 acre proposal. It includes Senate excluded lands in Little Granite Creek (it should be designated wilderness, court can decide lease issue, with exchange if Getty is found to have compensable rights), adjacent to the National Elk Refuge, as well as the country mentioned above. In order to accommodate timber interests, it excludes roughly*

2/3rds of the 8.6 MMBF Jack Creek timber sale.

Many more details of the proposal can be provided, if necessary. However, there should be no bill without this proposal.[7]

The oil and gas industry was dismayed by the Wyoming delegation's decision to add acreage in the Gros Ventre, as well as other areas in the State, and kept its relatively quiet but persistent pressure on. The final bill created a 287,000-acre Gros Ventre Wilderness by splitting the difference between the delegation's 225,000-acre proposal and the environmentalists' 340,000-acre "compromise." In other words, after 3 years of bargaining both sides had agreed to what was essentially the 1979 Carter Administration recommendation.

The environmentalists' second major priority was the DuNoir area in the Shoshone National Forest at the southern end of the Greater Yellowstone Ecosystem. The DuNoir had been left out of the Washakie Wilderness in 1972 but as a compromise had been placed under a special management provision that in effect gave it protection equal to that of the Wilderness Act—the main difference being that it would be politically easier to remove the special management protection than it would have been to declassify the area as wilderness.[8]

In 1978 Senator Clifford Hansen had prevented retiring Congressman Teno Roncalio from putting the DuNoir into the Wilderness System. Assistant Secretary Rupert Cutler had supported its designation but his successor, John Crowell, favored only the designation of the upper elevation 11,000-acre portion of the 29,000-acre DuNoir. The opinion of some Forest Service personnel had changed over the years, but the prevailing belief was that the DuNoir did not qualify as wilderness because of the lingering evidence of past human activities in the area.[9]

This was one of the few Wyoming areas where the timber industry was the predominant industrial interest. The large Louisiana Pacific mill in Dubois had exhausted much of the timber supply in the Wind River Ranger District and knew that it eventually would need the DuNoir's timber in order to survive. Bob Baker, Louisiana Pacific's forester, was one of the environmentalists' most vocal opponents, contending that most Wyomingites did not want any more wilderness.[10]

The environmentalists conceded that Louisiana Pacific would need DuNoir timber but argued that even if the company harvested all of the timber, it would only delay the inevitable end of its supply in this slow-growing lodgepole pine region.[11]

According to Bruce Hamilton, the Sierra Club's Northern Plains Representative, the absence of the DuNoir from the delegation's 1982 bill was the first "red flag" warning that the bill was seriously deficient. But even though the DuNoir was an area beloved by many environmentalists, interest in it occasionally waned. Because it was already protected, they thought it might be used as "trading stock." [12] In 1983 Wiessner advised Seiberling of the DuNoir's importance but also of the environmentalists' willingness to compromise.

28,800 acres are already protected as a wilderness study area actually a special management area by virtue of Teno's 1972 [Roncalio] bill . . . The Senate-passed bill follows [former Senator] Hansen's lead and protects only 11,100 acres. At a minimum, there should be wilderness for 28,800 acres. Wyoming Fish and Game strongly

supports this because of the incredible elk and other wildlife values . . .

If the DuNoir means the difference between a bill and no bill, there should be no bill without the DuNoir. Another compromise option might be to leave the DuNoir in its presently protected state (i.e. neither wilderness designation nor release).[13]

The decision on the DuNoir was not made until the very end of the negotiations. Seiberling and the Wyoming delegation agreed to maintain the status quo and leave the DuNoir as a special management area.

Environmentalists had proposed designation for three areas about 100 miles from the city of Cheyenne but had been opposed by the city's Board of Public Utilities, which feared that wilderness would interfere with their water projects in the Medicine Bow National Forest. Consequently, the delegation had not included these areas (Huston Park, Encampment River, and Platte River) in its bills. Wiessner's 1983 memo to Seiberling asserted that these popular areas were essential because they would be the only wilderness areas on the Medicine Bow National Forest, located in the most heavily populated part of the State.
He proposed that language could be included to insure that wilderness designation would not interfere with the water projects. The Cheyenne Water Board agreed to withdraw its opposition to these areas if it could get special language assuring them they could continue to develop planned projects.[14] During the final days of negotiation over this bill, the water rights issue became for the Sierra Club "the single biggest obstacle to a Wyoming wilderness bill" because they feared it might establish a precedent that could be used to override future wilderness water rights lawsuits. The Club finally relented and agreed to accept statutory language preventing the wilderness act from interfering in any way with the Cheyenne water projects. Bruce Hamilton concluded that the Cheyenne Water Board was the only interest that had gotten everything it had wanted and that "one day we'll have either a dry wilderness there or crazy language our grandchildren won't understand." [15]

The delegation's 1982 draft bill included 475,000 acres of wilderness, increased the next year to 630,000 acres. Seiberling informed environmentalists that they could "reasonably" ask for a little less than half a million additional acres.[16] The final bill had 250,000 more acres than the 1983 draft bill. In other words, the two sides split the difference, as they had done in the specific case of the Gros Ventre. Measured in terms of individual areas, the environmentalists did fairly well. Wiessner's 1983 memo to Seiberling listed seven priority areas—DuNoir, Gros Ventre, Huston Park, Cloud Peak, Platte River, West Slopes Tetons, and Palisades.[17] All of these were included in the act at close to the acreages requested by the environmentalists, except for the DuNoir, as already discussed, and the Palisades, which remains a Wilderness Study Area because of the large number of pending leases and lease applications.

The environmentalists' biggest losses came in several areas in the southwestern part of Wyoming. This part of the State had many sheep ranchers, and there was very little local support for wilderness. Even though environmentalists such as Bruce Hamilton, considered the areas to be very "deserving," they could not overcome the fact that there was little statewide sentiment for or against them.[18] Consequently, in the final bill no wildernesses were cre-

ated south of the Gros Ventre in the western half of the State.

Notes

1. *Congressional Record,* Feb. 22, 1983, S1434.
2. Lander, WY, "High County News," 10/14/83.
3. "The Washington Post," 5/27/80.
4. Philip Hocker to Dick Fiddler, 8/14/79, SC records, FSHS.
5. Interview with Clif Merritt, Denver, CO, 3/15/85.
6. Interview with Bruce Hamilton, San Francisco, CA, 3/4/85.
7. Andy Wiessner to John Seiberling, 9/21/83, FSHS.
8. Roth, *The Wilderness Movement,* pp. 16–19.
9. Hamilton interview.
10. Casper, WY, "Star-Tribune," 5/26/84.
11. Hamilton interview.
12. Ibid.
13. Wiessner to Seiberling.
14. Hamilton interview.
15. Ibid.
16. Wiessner to Seiberling.
17. Ibid.
18. Hamilton interview.

The passage of the so-called Eastern Wilderness Act of 1975 (it actually has no name) put an end to a long-standing debate. This act established that areas that had once been cutover or otherwise had felt "the imprint of man" could enter the Wilderness System if they were on the way to recovery. It affirmed legislatively what Ernest C. Oberholtzer of the Quetico-Superior Council (associated with the Izaak Walton League) had said in 1942: "I wouldn't exclude an area, where, given other requirements, nature, by being left alone, can restore blemishes. . . The designation isn't so much for honoring the area as it is for insuring the public opportunities for primitive experience." [1]

One of the principal champions of eastern wilderness was Harvey Broome, a native of Knoxville, TN, who helped found The Wilderness Society and later served as its president. When he was most active in the 1940's and 50's, there seemed little hope that eastern wilderness areas would be preserved. In 1947 he shared his concern with Forest Service Regional Forester Herbert Stone, in a letter about the Big Santeelah, an area owned by a lumber company next to the Joyce Kilmer Forest. The Forest Service had wanted to purchase it but had not received funding. Broome urged Stone to prevent the company from building a logging road across National Forest land, even though the company had an easement until 1951.

> *There is every evidence that it is an extraordinary remnant of that primeval scene. Its interplay of wild turbulent streams and of green jungled forest is unique. Nearly everybody says that. Fishermen and hikers come back from that region uplifted. Those great somber pools, cascades of sheer gleaming foam, gigantic massifs lying athwart the stream and encrusted with lichens and overlain with moss, those ancient hemlocks rising like verdant obelisks from jungles of rhododendron and yellow birch are overwhelming. There is something primordial about it which can not be balanced against dollars nor equated in board feet.*
>
> *If this area had existed in the western forests, Robert Marshall or John Sieker [Marshall's successor as Director of the Forest Service's Division of Recreation] would have requested it long ago. In the East, the situation is different. Such values have to be fought over.*[2]

It seems reasonably clear from Wilderness Society records that in the early years most of the Society's leadership did not seriously contemplate the possibility of creating eastern wildernesses. In 1952 there was a hint a change was beginning to occur. George Fell of the Society wrote to Dr. W.J.M. Harkness of the Canadian Division of Fish and Wildlife in Toronto that the Society considered wilderness areas to be those "retaining their primeval environment or influence, or to areas remaining free from routes which can be used for mechanized transportation." He then added that the definition was "undergoing an evolution," an indication perhaps of Broome's influence.[3] But 8 years

later the Society had yet to establish a clear policy. Broome wrote to Zahniser of his fear that the 1960 Wilderness Bill contained standards that would have excluded almost all of the areas in the East.

> *Thanks for yours of December 14 relative to the Glacier Peak and Selway-Bitterrot decisions. In my letter of December 10, I was making the point that it seemed to me that Forest Service was utilizing the standards in the latest draft of the Wilderness Bill in defining the boundaries of these two areas in reclassification.*
>
> *Assuredly I agree with both you and Olaus [Murie] that we should strive for the largest possible wilderness areas even including some non-conforming uses and substandard lands, which could be eliminated in time and with time.*
>
> *However, I do believe we are in a bit of a dilemma in sponsoring standards in the Bill which to some extent we disregard when we seek inclusion of substandard lands and non-conforming uses. For candor's sake, I think we should recognize this dichotomy in our dealing with the Forest Service.*[4]

Zahniser wrote a marginal note on the letter indicating he did not fully share or perhaps grasp Broome's concern. He referred to the section of the bill that permitted grazing and other "established" uses. But neither that section nor the rest of the bill explicitly provided for the inclusion of Broome's "substandard" areas.[5] The 1964 Wilderness Act did not differ in its formulation of wilderness standards from the 1960 bill. But a strong grassroots movement for eastern wilderness compelled Congress to pass the 1975 act, which can be interpreted either as a clarification of some latent ambiguities in the 1964 act or more consistently as a liberalization of standards for wilderness designation. On a strictly legal basis, the Forest Service had strong reasons for not recommending the inclusion of eastern areas in the Wilderness System from 1964 to 1975, as Broome recognized might be the case in 1960. From a social perspective, however, the agency ran against the drift of public opinion when it initially sought to deflect passage of the 1975 act by promoting a "wild areas" system for the East that would have been distinct from the Wilderness System.[6]

Many eastern wilderness activists were encouraged when RARE II was announced, because it meant that for the first time the Forest Service would inventory eastern roadless areas and study their potential for wilderness designation. The movement for eastern wilderness had temporarily slowed a bit after the passage of the 1975 act. In November 1977 The Wilderness Society proclaimed in a policy statement that "omnibus legislation is essential since most of the eastern areas lack the local Congressional support needed for individual or even statewide omnibus bills." [7] Implicit in this statement was the recognition that even more than its western counterpart, the eastern wilderness movement was an urban phenomenon. Eastern roadless areas had many more private "inholdings" than those in the West and in general existed in closer proximity to rural residents who were wary of anything that might restrict their traditional use of the National Forests. Nevertheless, the Society could not devote much of its resources to an eastern omnibus bill because of the ongoing RARE II study and the effort to pass the Alaska Lands bill. One of the advantages of RARE II for eastern wilderness activists was that its hoped-for wilderness recom-

mendations from the Forest Service could be used to counteract local resistance, which had resulted in the loss of half of the original acreage proposed in the eastern areas act of 1975.

Virginia

This was not true, however, in Virginia, where wilderness activists wanted to pass a bill in 1977 but were put off by Congress with the argument that they should wait until the end of RARE II.

Ernie Dickerman, chief Wilderness Society lobbyist for the 1975 act, retired from the Society after its passage. He moved to a mountain farm in western Virginia where he was elected president of the Virginia Wilderness Committee (founded in 1969). During the next 9 years he also served as its vice-president and the editor of its newsletter. Dickerman was well known for his knowledge of lobbying techniques and imparted that knowledge to several younger members of the wilderness movement.[8] He stressed persistence and the need to constantly apply pressure on Congress through letters and telephone calls. He communicated his basic legislative philosophy to the members of the Committee early in the history of the Virginia Wilderness bill.

> *It is obvious that members of the Virginia Wilderness Committee and all other advocates of wilderness preservation in Virginia have their work cut for them. The delay we are running into is standard. Because there are so many demands on the Congress and its Members, the general will of the Congress is to do nothing about anything. It then becomes a struggle between this negative will of the Congress and the positive will of the voters to get what the latter want. The stronger will wins. Perseverance, determination, stubbornness, undying persistence—call it what you like—is what wins in the Congress. Before they act, Members of Congress insist on being sure they are riding with a winner! Let's show them!*[9]

The 1975 act had created one Virginia wilderness area (James River) and four study areas. In 1976 the Virginia Wilderness Committee proposed five more areas totaling 45,000 acres out of a total of 1.7 million acres of National Forest in Virginia. By 1977 they had gained some support from several members of the Virginia congressional delegation and were about to begin work on a bill when Congress passed the 1977 Amendments to the Clean Air Act. This legislation retroactively placed all Federal wilderness areas created before the amendments under Class I air standards, the strictest category. Wildernesses created after the amendments were to remain under the Class II restrictions which apply generally to Federal lands, and are compatible with most forms of industrial activity. The Westvaco paper and pulp company had a large mill in Covington, VA, located within 50 miles or less of most of the proposed wildernesses. The company was disturbed by the possibility that a future Congress or Governor of Virginia (who has certain powers under the Act) could place wilderness areas under Class I standards, possibly impeding their plans to expand the Covington plant. In the company's view clean air and wilderness had become irrevocably linked by the 1977 amendments.[10] They would not accept the argument that it was unlikely that a future Governor or Congress would threaten their operations by changing the standards. Westvaco employed several hundred people in an economically depressed part of the State. Consequently, their objections persuaded local

Congressmen to withdraw their support for the bill and to suggest to the Committee that they wait for the completion of RARE II, which had just been announced.

The Forest Service was generous in its RARE II recommendations for Virginia, proposing 85,000 acres of wilderness. The Committee praised the agency and incorporated most of its recommendations into the bill. During the next several years a few areas were dropped either because local support was lacking or because subsurface coal rights were not owned by the Federal Government but had been retained in private ownership when the Forest Service acquired the surface rights. The committee also found it necessary to work with county commissions, several of which at first opposed the legislation because they feared wilderness legislation would decrease local taxes. By 1982 the Committee had overcome most of the resistance.[11] That November they also helped to elect two new Congressmen who represented the districts where almost all of the proposed wilderness areas were located. These freshmen Democratic congressmen, Frederick Boucher and James Olin, supported the bill that their predecessors had refused to sponsor because of the objections of Westvaco and the county boards.[12]

In the meantime, the clean air issue had appeared in the debate over the West Virginia Wilderness bill. Its passage had been jeopardized until a sentence was inserted to prevent the Governor from using his authority to upgrade wilderness air quality standards. The Sierra Club had reluctantly accepted this compromise and had helped draft the statutory language so that only the most knowledgeable and careful reader would realize what had been done ("Provided, that for purposes of the Act of July 14, 1955 (69 State. 322) as amended, the Cranberry Wilderness may be reclassified only by Act of Congress enacted after the date of enactment of the Act;").[13]

The Virginia Wilderness Committee sympathized with Westvaco's concerns. As a statewide group, they were less troubled by the possibility of creating nationwide precedents than was the Sierra Club. They were trying to reach a compromise with the company. Westvaco, however, wanted to rule out completely the possibility that air standards might be changed. In the final analysis that meant asking the impossible, i.e., binding future Congresses by prohibiting them from enacting legislation affecting air quality standards in wilderness areas. Although Westvaco stated they were not against wilderness per se, the nature of their arguments led to the inevitable conclusion that they opposed any form of Virginia wilderness legislation containing areas within 50 miles of their plant.[14]

When the Virginia bill was introduced in April 1984, four of the proposed areas closest to Covington had been placed in wilderness study status. Their wilderness quality was to be protected but their air standards would not be changed by any clean air legislation affecting the Wilderness System or by an action of the Governor. When the bill reached the Senate in June, Virginia's senators added a clause requiring the Forest Service to undertake a study of the effects of the Covington plant on wilderness air quality and to report its findings within 2 years.[15]

Westvaco was not satisfied with these actions. Assurances from the national wilderness organizations that they would not seek to change air quality standards and statements from Virginia officials that it was "inconceivable" that the State would try to upgrade them did not

satisfy them either. The company's opposition stalled the bill until the final days of the 98th Congress in October. When the bill was held up again after Westvaco requested that five more areas be converted to wilderness study status, asking to make it in effect the Virginia Wilderness Study bill, Peter Coppelman of The Wilderness Society expressed the urgency of the situation to his boss, William Turnage: "*We must have this bill this Congress.* Both Congressmen Olin and Boucher . . . may be defeated. If they are, we will be back to where we were three years ago with Virginia wilderness—nowhere." [16]

Prospects dimmed considerably when the West Virginia Senators temporarily held up the bill out of concern over its potential impact on their State.[17] They withdrew their objections after the part of the Mountain Lake area which lay in West Virginia was dropped from the bill and in a final rush of activity it was passed. Ernie Dickerman describes the final frenetic days of the bill's history:

> *The House action Tuesday afternoon October 9 which brought passage of the Virginia Wilderness Act was intensely interesting. On the preceding Thursday October 4—the day on which the Senate passed its bill about 3:00 A.M. in the wee hours of the morning during an all-night session—an effort was made to obtain passage in the House by unanimous consent, i.e. without objection by any Member. But four Congressmen objected, one from Kentucky, one from South Carolina and two from Virginia . . . all at the behest of Westvaco Corporation. So the next day Friday it was necessary to get a "rule", i.e., a scheduled time and procedure, from the House Rules Committee. This Friday October 5 was the day on which the 98th Congress had intended to adjourn permanently. The Rules Committee was willing to grant the desired procedure of no amendments allowed to the bill and only the usual majority vote needed for passage; but the voting was not to occur until Tuesday October 9 (Monday being a legal holiday, Congress would not be in session). Only because the House and Senate still had not resolved their differences about a big appropriations bill covering several government Departments was Congress obliged to remain in session beyond Friday, into the succeeding week.*
>
> *The House met Tuesday at twelve noon. About two o'clock the Virginia wilderness bill was taken up. Less than five minutes would have been needed to vote on the bill, but it turned out that quite a few Members wanted to speak in favor of the bill first . . . After half an hour of speech-making and it being obvious that support for passage was strong both by Republicans and Democrats, a vote was called for. The voice vote was so overwhelmingly in favor that no one asked for a roll-call vote. At last, our Virginia Wilderness Act had passed both houses and was ready to go to the President for signing!* [18]

Florida

From 1965 to 1968 the Bureau of Land Management issued 95 phosphate prospecting permits on the Osceola National Forest, near Jacksonville in northern Florida. During the next 3 years, four large chemical companies (Kerr-McGee, Monsanto, Global, and Pittsburgh-Midway of Gulf Oil) pursued their claims under the 1920 Mineral Leasing Act to

preference right leases on 52,252 acres or about one-third of the National Forest. Under Federal law these companies could obtain leases if the Secretary of the Interior determined they had found profitable deposits. The issuance of leases was delayed pending the preparation of an Environmental Impact Statement and then in 1972 the State of Florida sued the Federal Government to enjoin it from issuing the leases. The State government and the great majority of Floridians feared severe environmental damage would befall northern Florida ecosystems if so much of the National Forest were mined. Valuable wetlands would be permanently destroyed, wildlife habitat eliminated, and Stephen Foster's famous Suwanee River polluted.[19]

The 1974 EIS confirmed many of these fears and in 1980 Secretary of the Interior Cecil Andrus decided against issuing the leases. The House passed a bill banning phosphate mining on the Osceola but the legislation died in the Senate. Democratic Representative Don Fuqua, in whose district the Osceola was located, had been trying for several years to prevent mining. The Forest Service had not recommended any wilderness areas on the Osceola during RARE II, primarily because of the potential mining claims. Fuqua added the Big Gum Swamp area to the first Florida wilderness bill in 1980 knowing that it contained phosphate deposits.[20] Other members of the Florida delegation had at first wanted to avoid mixing mining and wilderness (the Ocala and Apalachicola National Forests had roadless areas not threatened by mining) but Fuqua's action linked them. From that point on phosphate mining and wilderness were inextricably connected.

In 1981 Assistant Agriculture Secretary John Crowell reversed the Carter Administration's decision, arguing that technology had greatly improved and that the Osceola could be reclaimed after mining. The State of Florida and environmentalists acknowledged that the technology was better but disputed its ability to reclaim the extremely complex ecology of the Osceola wetlands. In their view the forest was to be made a guinea pig for an experimental procedure.[21] Secretary of the Interior Watt, who at that time was involved in controversies over offshore leasing of oil and gas and leasing in wilderness, let Crowell speak for the administration. He refused to take a position in the reclamation debate because his role in ultimately deciding on the merits of the companies' lease applications might involve him in a conflict of interest.[22]

The administration's support for leasing increased the possibility that the Osceola would be mined. The Florida delegation united behind wilderness legislation banning mining and compensating the chemical companies for their claims. Congress passed the legislation in December 1982. The next month Secretary Watt announced that he had concluded that the companies could not profitably mine the phosphate while paying the costs of reclaiming the land. The chemical companies lobbied the administration to support the bill but 2 days later President Reagan vetoed it (the first wilderness bill to be vetoed) because the administration believed it might eventually have to spend $200 million to compensate the companies for claims they had not yet completely secured.[23] The day before, President Reagan had signed the West Virginia Wilderness Act but had issued a statement criticizing its formula for buying a coal company's reserves. The objection, however, was not sufficient to provoke a veto because the amount was lower ($25 million) and the company had full title to the reserves. The administration appeared to have

hoisted the environmentalists on their own petard by pointing out that they had supported Florida wilderness legislation that disregarded the effects of environmental laws on the amount of compensation due the chemical companies. The environmentalists responded that they could not trust the administration to contest the companies' claims in court when it had previously supported the companies' right to lease. They also feared that the companies might win in court and would then either mine the Osceola or would be bought out for more than $200 million.[24]

Reagan's veto convinced the environmentalists that the administration adamantly opposed any form of statutory compensation in cases where property rights were not completely clear. In the next bill, mining was banned but references to compensation were dropped on the advice of lawyers who maintained that the companies had adequate recourse through the courts.[25]

Reagan's veto had distressed freshman Republican Senator Paula Hawkins, and she was determined to pass an even better version next time by adding more areas. Congressman Fuqua, in whose districts these areas lay, opposed their inclusion. Communication within the Florida delegation began to suffer, and it appeared to many observers that the bill was being unnecessarily delayed. Randy Snodgrass, The Wilderness Society's southeast regional representative, suggested to Helen Hood, a Florida conservation leader, that these two disputed areas be converted to wilderness study status. Hood spoke with Senator Hawkins, who agreed to accept the compromise, thus paving the way for the bill's passage in August of 1984.[26]

The Florida bill demonstrated that the wilderness study classification was not just a useful device for placating development interests. It could also be used by environmentalists to smooth over differences within their own ranks.

Arkansas

The Arkansas wilderness bill also was embroiled in problems of mineral leasing and clean air standards, although to a lesser extent than the Virginia and Florida bills. The final Arkansas bill designated 91,000 acres of wilderness, making it the largest 1984 bill in the East. Perhaps its most distinguishing characteristic was its sponsorship by a conservative Republican Congressman, Ed Bethune, who shortly after its passage was defeated in the 1984 senatorial election by Democratic Senator David Pryor.

Arkansas is one of the leading timber-producing States in the South, and its two national forests have large potential reserves of oil and gas. These resources coupled with the existence of roads and former cut-over areas produced a relatively low RARE II wilderness recommendation of 44,000 acres out of 212,000 acres inventoried.[27]

The wilderness movement was a relatively recent phenomenon in the State. Had it been more vocal during RARE II, the Forest Service may have recommended more acres of wilderness. The Flatside area near Little Rock on the Ouachita National Forest was not promoted by citizen groups, and the Forest Service did not even include it in its inventory because of a low-standard road and several cut-over sections. However, by 1982 the wilderness movement had grown stronger and Flatside had become its first priority.[28]

Senator Dale Bumpers had a good record of supporting wilderness legislation and had authored the often used "Bumpers Agreement" with

the Department of Agriculture, which placed a moratorium on developments in roadless areas while wilderness legislation was pending. Arkansas environmentalists were counting on him to introduce a bill to approximately triple the RARE II recommendation. Bumpers, however, was cautious because the condemnation of private land for the Buffalo National River had created controversy in the State. Stories were being circulated that many more acres of private land would be condemned if a large wilderness bill were passed.[29] The 1975 act had provided for condemnation in cases of "incompatible" use by private inholders. In Vermont, 40 private year-round and summer homes had inadvertently been placed inside the boundaries of the Bristol Cliffs Wilderness Areas, which 2 years later had to be rectified by the first statutory reduction of a wilderness boundary. Based on that experience, the Sierra Club began to refer in its public relations campaigns exclusively to the 1964 Wilderness Act, which did not permit condemnation, when dealing with the problem of private inholdings in wildernesses.[30] (The 1975 provision was seen as a single case that would not be repeated.) Despite these attempts to allay fears, many people living near or in proposed wilderness areas still harbored suspicions that their properties would be condemned or that at least their access to them would be restricted.

In April 1983 Congressman Bethune proposed a bill to create a Flatside Wilderness and place 10 other areas in wilderness study status. Randy Snodgrass related the early history of the bill to his Washington, DC, headquarters.

> *Congressman Ed Bethune (R–ARK) has been 'born again' as a zealous wilderness advocate . . . Bethune was hoping to bring the other members of the delegation out-of-the-closet on the issue, especially John Paul Hammerschmidt (R–ARK) who has more than 90% of the acreage in his district. Bethune had no intention of studying these areas further . . . He simply wanted the blessing of Hammerschmidt, and to a smaller extent, the other members of the delegation.*
>
> *Beryl Anthony (D–ARK) forced his hand. Anthony introduced a bill (H.R. 2452) on April 11, 1983, which was basically the Forest Service proposal plus two Wilderness Study Areas established by the Eastern Wilderness Act in 1975. A total of seven areas and 55,291 acres. Congressman Bill Alexander (D–ARK), who has only a small piece of one of the areas in his East Arkansas district, gave this bill his tacit support.*
>
> *The following week (April 18) Bethune introduced the bill he had first proposed almost a month earlier—Flatside (10,885 acres) and the ten wilderness study areas totalling 127,240 acres (H.R. 2571). His bill would include the seven areas in the Forest Service recommendations and the Anthony bill, as well as four additional areas the conservation community is seeking to protect.*
>
> *Inside of two weeks Bethune reintroduced his bill, this time proposing that all eleven areas be added to the Wilderness System. This past weekend Bethune held his second news conference in as many weeks to publicize his decision to drop the wilderness study category.*
>
> *Bethune has enlisted the support of Udall and Seiberling for his bill . . .*

It is going to be very interesting to see how the politics plays out in this joint Republican/Democrat initiative.[31]

The House Agriculture Committee had not attempted to claim jurisdiction over many wilderness bills since 1974 but Congressman Anthony, a former member of the Committee, convinced it to take up the Arkansas bills. His bill rather than Bethune's was passed out of the Forestry Subcommittee. This meant there was a good chance Anthony's bill would eventually pass the House because he was a Democrat and the rest of the Arkansas House delegation supported him. Under these circumstances, environmentalists requested Congressman Seiberling to delay consideration of a bill in his Interior Subcommittee until Senators Bumpers and Pryor had passed a Senate bill, an unusual move because in all other instances, except Wyoming, environmentalists had wanted to pass House bills in order to put pressure on the Senate and especially Senator McClure, chairman of the Energy and Natural Resources Committee.[32] The fact that a lone House Republican was sponsoring the larger wilderness bill made the difference in the case of Arkansas.

In February 1984 Bumpers and Pryor introduced a bill with 117,000 acres of wilderness, which was virtually identical to Bethune's recently scaled down bill of 119,000 acres. In April the Senate held hearings on the bill. Atlantic Richfield oil company created a stir by revealing that it had leases for 350,000 acres on the Ouachita National Forest. None of the leases were on proposed wilderness but the company testified that wilderness designation would deter future exploration. This revelation increased the likelihood there would be a compromise with the Anthony bill.[33] After the environmentalists persuaded Senator Bumpers to remove a clean air clause similar to the one in the West Virginia Act, the bill passed the Senate. The Arkansas delegation then agreed to split the difference between the Senate/Bethune bill and the Anthony bill. The bill passed at the very end of the 1984 session.

Notes

1. Ernest C. Oberholtzer, 2/9/42, TWS records, Denver Conservation Library, Box 10.
2. Harvey Broome to Herbert Stone, 10/29/47, TWS records, Robert Marshall Correspondence Box.
3. George Fell to W.J.M. Harkness, 2/4/52, TWS records, Box 10.
4. Harvey Broome to Howard Zahniser, 12/27/60, TWS records, Box 10.
5. Howard Zahniser, n.d., TWS records, Box 10.
6. Roth, *The Wilderness Movement,* pp. 36–46.
7. TWS Policy Statement of 11/5/77, TWS records, Box on Eastern Areas in Eastern Wilderness Act of 1975.
8. Mahoney interview.
9. Virginia Wilderness Committee Newsletter, 5/77, FSHS.
10. Jack Hammond of Westvaco before the Senate Agriculture Committee, 7/25/84, Peter Coppelman's files, FSHS.
11. Interview with Ernie Dickerman, Buffalo Gap, VA, 8/17/84.
12. Virginia Wilderness Committee Newsletter, 1/83, FSHS.
13. Mahoney interview.
14. Jack Hammond before the Senate Agriculture Committee, FSHS.

15. Virginia Wilderness Committee Newsletter, 6/84, FSHS.

16. Peter Coppelman to Bill Turnage, 10/2/84, Peter Coppelman's files, FSHS.

17. Ibid.

18. Virginia Wilderness Committee Newsletter, 10/84, FSHS.

19. Paul Cahill, U.S. Environmental Protection Agency before the House Public Lands Subcommittee, n.d., Randy Snodgrass' files, FSHS.

20. Susan Alexander to Peter Coppelman, 9/29/81, Randy Snodgrass' files, FSHS; Andy Wiessner to John Seiberling, 10/31/79, SC records, FSHS.

21. State of Florida's Position on Mining in the Osceola National Forest, n.d., Randy Snodgrass' files, FSHS.

22. "Tampa Tribune," 1/17/82.

23. Memorandum of Disapproval, The White House, 1/14/83.

24. Brock Evans to Denny Shaffer, 1/17/83, SC records, FSHS.

25. Howard Fox to Tim Mahoney, 6/15/83, SC records, FSHS.

26. Interview with Randy Snodgrass, Atlanta, GA, 10/30/84; "Lake City Reporter," editorial, 10/2/84.

27. Interview with Tim Mahoney, Washington, DC, 11/8/84.

28. Ibid.

29. "Fins and Feathers," April 1981, p. 75.

30. Mahoney interview, 11/8/84.

31. Randy Snodgrass to Bill Turnage, n.d., Randy Snodgrass' files, FSHS.

32. Mahoney interview, 11/8/84.

33. "Weekly Bulletin," October 1, 1984.

Except for Montana, Nevada, and Idaho, which did not get wilderness acts, the 1984 wilderness legislation marked the beginning of the end of an era of large additions to the National Forest portion of the Wilderness System. In coming years the System will undoubtedly grow but it will do so at a slower rate than it did from 1964 to 1984. Environmentalists recently have begun to concede that the once-maligned RARE II turned out to have benefited their cause.[1] It identified millions of acres of roadless land they had not known about, created grassroots support for their cause, and put pressure on Congress to resolve the impasse over wilderness and resource development. But the post-RARE II era also had its drawbacks. In some instances, especially in Oregon, national environmental organizations clashed with local wilderness groups, revealing for the first time in the history of the wilderness movement a serious internal strain. Also, unlike the pre-RARE II era when environmentalists almost always won individual battles on terrain they had chosen to fight over, in the post-RARE II era their victories in statewide legislation were usually bittersweet. Even the jubilation over the Washington Wilderness Act, which created more than a million acres of wilderness in a State where the Forest Service had recommended 270,000 acres, was tempered by the fact that the highly valued Kettle Range was left out.[2] In some cases roadless areas became poker chips that were moved in and out of the Wilderness System for political reasons without much regard for their intrinsic merits.[3]

The Forest Service was, of course, gratified that the 1984 wilderness legislation had resolved much of the roadless area debate. The agency had been harshly criticized during RARE II but emerged from the 1984 congressional session with a stronger record on wilderness protection than might have been predicted by its most vocal environmental opponents. In the Pacific Coast States where timber values were highest, the agency recommended considerably less wilderness than was eventually supported by the public, as reflected in the actions of its representatives. However, in the Rocky Mountain States the agency was slightly ahead of the local political situation. In the East there was a similar mixed picture. For instance, in Virginia, New Hampshire, and North Carolina the Forest Service was more disposed to wilderness than was local public opinion, whereas in Vermont and Arkansas it recommended less wilderness than was enacted into law.

Notes

1. Roth, *The Wilderness Movement,* p. 61.
2. Mahoney interview, 4/3/85.
3. Hamilton interview.

☆ U. S. Government Printing Office: 1988 - 193-401 (80135)